



Treoir Annual Report 2017

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ABOUT TREOIR

Treoir, in partnership with its member agencies, promotes the rights and best interests of unmarried parents and their children through providing specialist information and advocating for their rights.

Treoir is the National Federation of Services for Unmarried Parents and their Children. In 1976 various agencies working with unmarried parents formed a federation to channel efforts and improve the quality of the services provided to unmarried parents and their children. Members include self-help organisations, adoption societies, maternity hospitals, childcare organisations, HSE and accommodation services. In 1995 the Federation was renamed Treoir, which is the Irish word for direction or guidance.

Treoir:

- Operates a free, confidential National Specialist Information and Referral Service on all aspects of unmarried parenthood, providing accessible and up-to-date information free of charge to parents who are not married to each other and to those involved with them. These include:
 - unmarried expectant parents
 - unmarried parents living apart
 - unmarried parents cohabiting
 - teen parents
 - opposite and same sex parents
 - grandparents and other relatives
 - those working with unmarried parents and their families
- manages the national co-ordination of the Teen Parents Support Programme
- advocates on behalf of unmarried parents and their children.

COUNCIL MEMBERS

Dr. Ruth Barrington, Chair

Liam Kirwan, Treasurer, Treoir - (Co-opted 25th July 2017)

Deirdre Pemberton, Secretary, Hear2help

Thomas Quigley, Bessborough Care Centre

June Tinsely, Barnardos

Marian Barnard, Anew

Ciara McKenna, National Maternity Hospital Holles Street

TREOIR MEMBERS

Aislinn	Doras Buí	Mary Immaculate College
Barnardos	Familibase Youth Service	Carr's Child and Family Services
Bessborough Care Centre	Foróige	National Maternity Hospital
Clarecare	Health Service Executive	Rotunda Hospital
Coombe Women & Infants	Here-2-Help	Sligo Social Service Council
University Hospital	Home-Start	St. Anne's Day Nursery
Cúnamh	Limerick Social Services Council	St. Catherine's Community
CURA	Anew	Services

HONORARY MEMBERS

Gemma Rowley Honorary Life Member

STAFF

Damien Peelo, Chief Executive Officer – Appointed July 2017

Margaret Morris, National Co-ordinator, TPSP

Veronica Black, Information Officer / Training Officer

Beatrice Cronin, Information and Policy Officer

Joanne Hickey, Office Assistant

Helen Bowe, Administrator

Clare White, Information Officer

MESSAGE FROM CHAIRPERSON



The year 2017 was one of change and consolidation at Treoir. In March, Treoir said farewell to our CEO, Greg Straton, who left to take up a position in the public service. We were very grateful to Margaret Barry who accepted our invitation to act as Interim CEO while the Council recruited a new Chief Executive. In July, the Council was very pleased to welcome Damien Peelo as the new Chief Executive of Treoir. Damien has worked for over twenty years in the community and voluntary sector and was formerly director of COPD Support Ireland and the Irish Traveller Movement. He has brought that wealth of experience and a strong commitment to social justice to Treoir and to its mission of promoting the rights and best interests of unmarried parents and their children by providing specialist information and advocating for their rights.

Treoir was pleased that, with the commencement of provisions of the Children and Family Relationships Act 2015 in January 2017, a non-marital father for the first time in Irish law may automatically become the guardian of his child if he has cohabited with the mother for a minimum of 12 consecutive months, at least three months of which must be after the child is born. This is an important step towards greater recognition of the role of the unmarried father as a guardian of his child and of the right of every child to know both of his or her parents. However, Treoir believes that much more needs to be done to recognise the role of unmarried fathers as guardians of their children. Many unmarried fathers are excluded from the provisions of the 2015 Act because they may not live with the mother of the child, even though they may be positively involved in the life of their child. It is a disappointment to Treoir that the section of the 2015 Act that provides for unmarried couples to become joint guardians of their children by agreement at the point of birth registration has not yet been commenced because of issues in the Civil Registration system. While the register of marriages provides information on who are the guardians of children of married parents, there is no equivalent for children of unmarried parents. Treoir calls for the establishment of a Guardianship Central Register so that there is an official record of who is responsible for taking the important decisions in a child's life.

Every year there are approximately 3,000 births registered to unmarried parents where no details are provided of the father of the child. Treoir is concerned that the provision of the Civil Registration (Amendment) Act 2014, which for the first time in Ireland, places a duty on unmarried parents to register the father's name on the birth certificate of their child, has not yet been commenced. Under the UN Convention on the Rights of the Child, every child has the right to know his or her parents. Treoir calls on the Minister for Employment and Social Protection to commence this provision as soon as possible.

Treoir is very grateful to Professor Gerry Whyte of Trinity College who presented a paper on the *Constitutional Status of the Unmarried Family and its Constituent Members* at the AGM in

June. In his paper, Professor Whyte outlined how the rights of the family, the natural mother, the natural father and the child under the Constitution have evolved in Irish court judgements.

I would like to complement the staff of Treoir, who despite so much change in the legal environment and internally, maintained Treoir's specialist information service to a very high standard, our support for the Teen Parents Support Programme and our advocacy on behalf of unmarried parents. Their hard work and commitment is recorded in this annual report.

I would like to thank the Council of Treoir for their commitment to and engagement with the mission of Treoir. My particular thanks to Christina Hughes, Ashling Dowling-Deignan and Louise Graham who stepped down from the Council. During the year, we welcomed Liam Kirwan to the Council.

The Council is very grateful to our funders for their continued support in 2017 for the work of Treoir. The Sexual Health and Crisis Pregnancy Programme of the Health Service Executive, Citizens Information Board and Tusla funded our range of activities to support and advocate for unmarried families and their children.

As a membership organisation, Treoir values the contribution members make to our own work and to the shared work we undertake within our different organisations - offering insight, support, guidance and information to families in Ireland. I would like to thank our member organisations for their continued support.

Dr. Ruth Barrington



A NOTE FROM THE CEO

I joined Treoir in July 2017 and it is a great honour to be part of an organisation with a long history of supporting and advocating for unmarried families. It did not take long to recognise the enormous dedication of the staff team and their high levels of skills, empathy and passion in delivering a first class service to unmarried parents.

The past few years have been challenging for Treoir's staff and Council as they came to terms with key changes in personnel, particularly those who were with the organisation from its foundation. Yet, I have been impressed by the commitment of all involved in ensuring that unmarried parents and their children's rights and welfare remain the top priority.

Over 6,000 queries were recorded in 2017. The complexities of the issues being raised are more challenging and require more time and resources of the National Information Officers. The provision of workshops through our outreach programme provide much needed support to a wide range of professionals, unmarried parents and grandparents. We also continue to receive high praise for the quality of the training, something I was delighted to witness first hand having had the opportunity to participate in a workshop in Finglas.

The importance of accurate and trustworthy information on the often complex legal positions of unmarried parents is a vital factor in ensuring that parents can keep the needs of their children central in their decision-making, particularly when they are not co-habiting. The National Information Centre's busy service is a testimony to the quality of the information and guidance being provided on a daily basis.

The Teen Parents Support Programme (TPSP) continues to deliver a high-quality service to teen parents throughout Ireland. Having the national co-ordinator of the project based in Treoir is hugely beneficial for both the TPSP and Treoir and enhances the sharing of information and the collaboration on policy issues.

Funding is always a key challenge for organisations in the Community and Voluntary Sector and despite some improvements in the external economy, Treoir's funding has not increased in line with rising costs. Monitoring budgets and paying close attention to our expenditure have been key since my arrival and I have been lucky to work with a staff team and Council who understand the need for prudence while maintaining the highest quality of services.

I look forward to working with our members, staff and Council on the development of our Strategic Plan, which I believe will provide us with exciting opportunities to develop the work of Treoir and ensure Treoir continues to be an innovative organisation that makes an impact on Irish social policy and attitudes to unmarried families and their children.

I would like to thank the staff and the Council for their welcome, support and guidance since I joined Treoir and I look forward to being part of the Treoir story over the coming years.

Damien Peel

NATIONAL SPECIALIST INFORMATION SERVICE

Treoir will maintain and develop the National Specialist Information Service for unmarried parents of the same or opposite sex, expectant parents, parents living together or apart, their extended families and those working with them.

The National Specialist Information Service continues to be a core part of Treoir's service provision. Treoir promotes the service nationwide through online adverts, social media, our publications, posters in libraries, health centres, community centres, and by word of mouth. The high volume of calls demonstrates the ongoing need for our expert information service by both unmarried families and professionals working in the area.

While the number of calls has slightly dropped in 2017, the queries are becoming more complex and time consuming.

Treoir's information team continue to log all calls and the service continues to be a barometer for emerging issues for unmarried families.

A. CALLS TO THE NATIONAL INFORMATION CENTRE

Treoir National Specialist Information Service dealt with approximately 6,315 queries in 2017 logged against 3,082 Support Calls. This is because callers often have more than one query by type: legal, social welfare and/or shared parenting.

1. Contact Type

The majority of calls received in 2017 were from the category ‘unmarried mothers’ i.e. 38% amounting to 1,138 individual calls. This includes repeat callers. This is followed closely by the category ‘unmarried fathers’ i.e. 31% amounting to 950 individual calls, including repeat callers. Use of the service by Professionals made up 18% of calls (558). Calls from family members were at 9% (275). The remaining calls included, expectant parents, LGBT issues and crisis pregnancies.

Fig: 1. Caller Profile

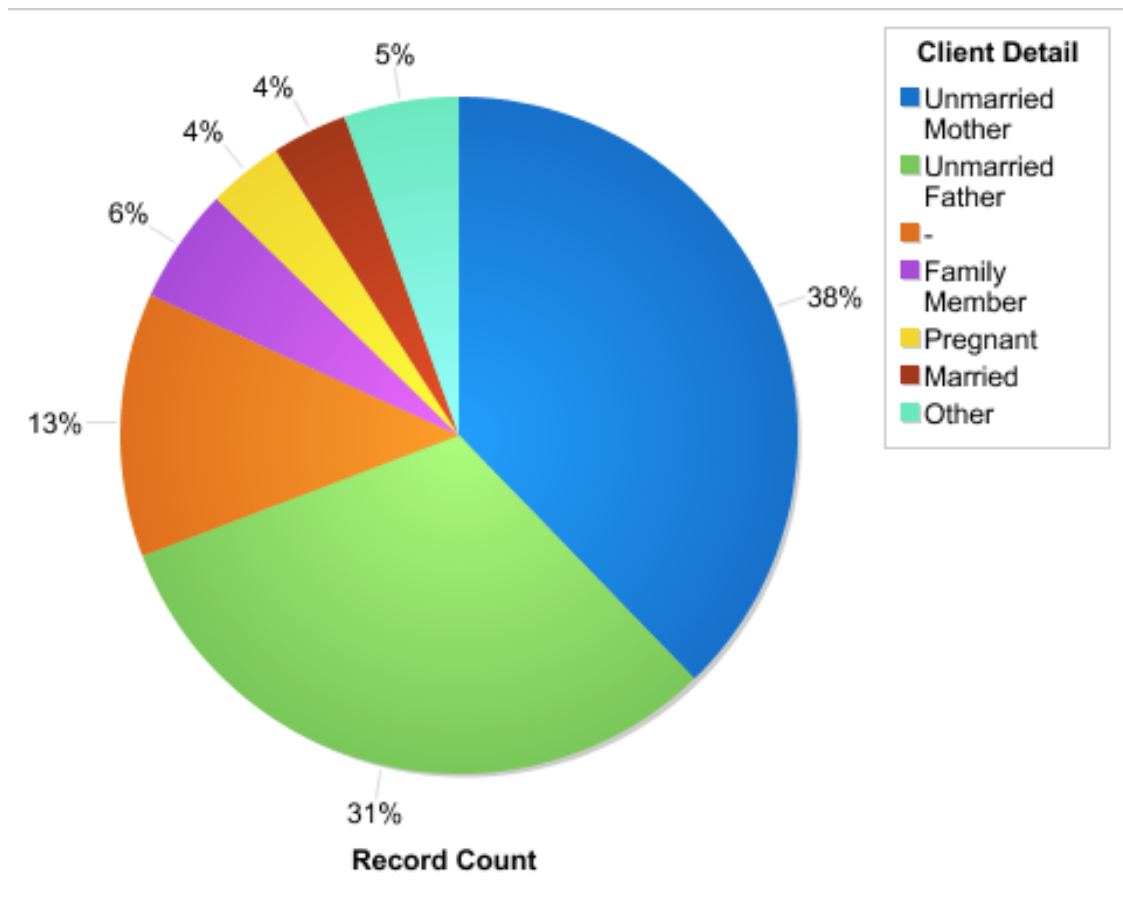
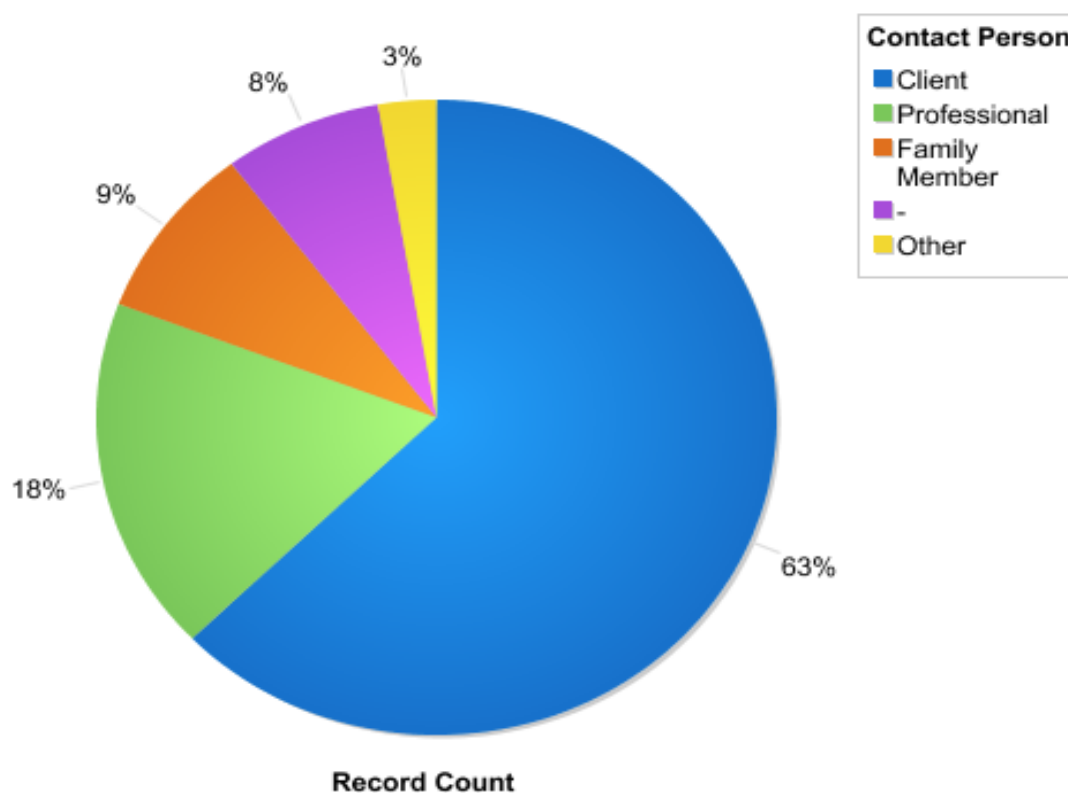


Fig 2: Contact Person:



2. Type of Queries

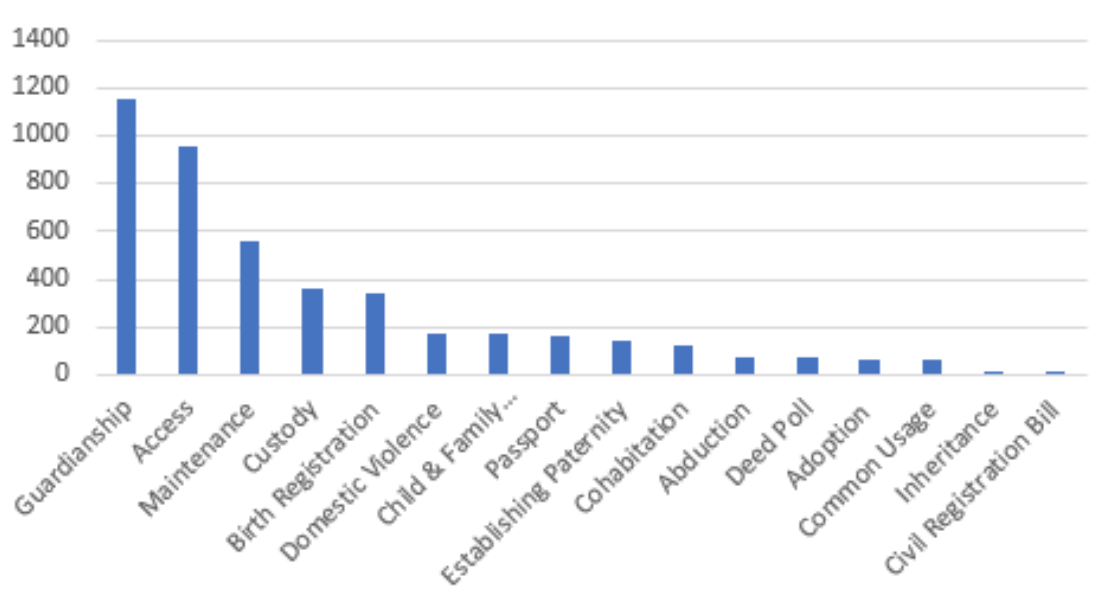
The majority of queries dealt with in 2017 were categorized as **Legal (70%)**, **Social Welfare (9%)**, **Other (15%)** and **Publications (6%)** which are summarised in section 3.

2.1 Legal Queries

Out of a sample of 4,592 legal queries the most frequent issues dealt with related to **Guardianship 26%** (1,193 queries) and **Access 22%** (998 queries), followed by **Maintenance 12%** (572 queries), **Custody 8%** (368 queries), and **Birth Registration 8%** (354 queries).

A smaller number of queries were associated with **Domestic Violence 4%** (182 queries), **The Children and Family Relationships Act 4%** (179 queries), **Passport 4%** (165 queries), **Establishing Paternity 3%** (145 queries), **Cohabitation 3%** (128 queries), **Abduction 2%** (73 queries), **Deed Poll 2%** (70 queries), **Adoption 1%** (68 queries), **Common Usage 1%** (59 queries), **Inheritance 0.5%** (13 queries), and **Civil Registration (Amendment) Act 2014 0.1%** (7 queries) issues.

Fig 3: Legal Queries



Unmarried fathers do not have automatic guardianship of their children, unlike married fathers. There are three different means under Irish law by which an unmarried father can acquire guardianship of his child which may explain why it features as the most frequent query.

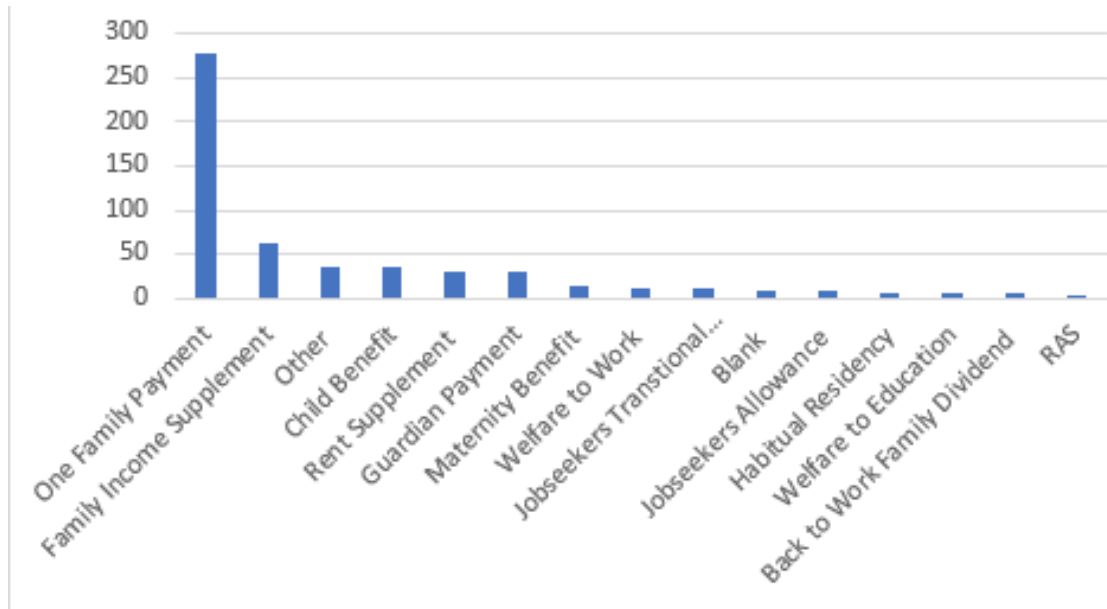
Qualitative feedback from the Information Service suggests, callers are not always aware of the specific rights and duties related to guardianship, that it is not automatic once a father is on the birth cert and how it differs from custody.

Treoir continued to advocate for a Register of Guardianship during 2017.

2.2. Social Welfare Queries

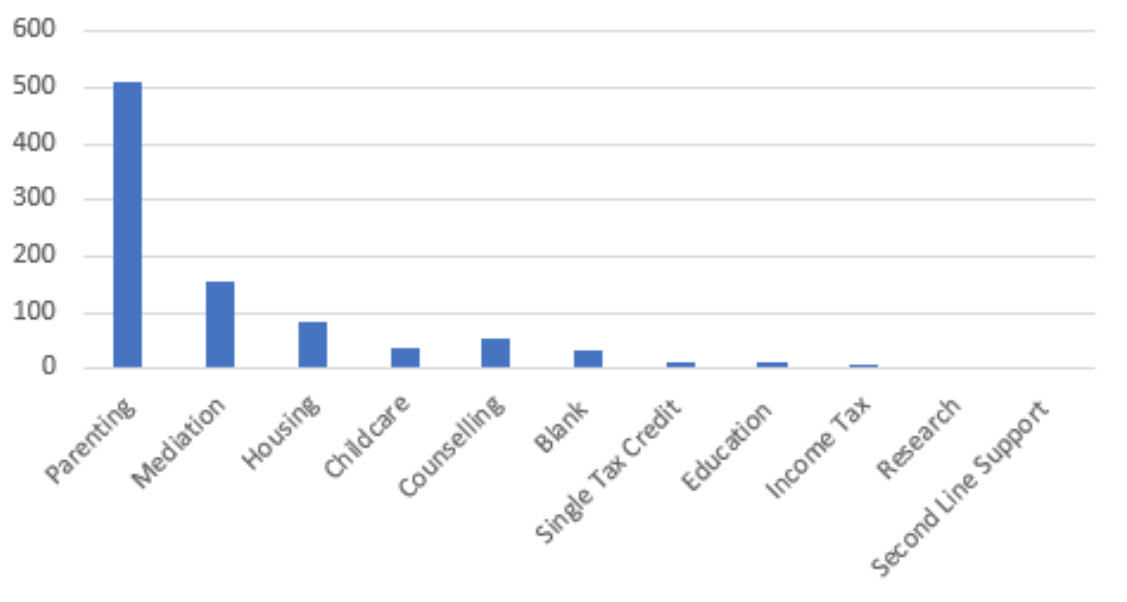
Please note that some Support Calls may have as many as 7 associated queries.

Social Welfare queries made up 9% of all calls to the Treoir Specialist Information Service in 2017. Out of a sample of 564 Social Welfare queries the main queries dealt with related to the **One Parent Family Payment 50.2%** (283 queries), **Family Income Supplement 11%** (63 queries), and **Child Benefit 7%** (38 queries).



2.3. Other Queries

15% of all calls pertain to a range of issues. **Parenting** was the most frequently reported issue after legal queries. Out of a sample of 952 queries, 56% of queries related to **Parenting**. This was followed by **Mediation** which accounted for 17% of the queries.



Method of contact

84% of contact (5,485 queries) are handled by Treoir's phone Information Service. 10% of contact was handled by email (683 email queries). The remaining 6% of contact is made up of people who physically called into Treoir's office and through social media requests.

Case Studies

The following cases illustrate the nature of the queries dealt with by Treoir's National Specialist Information Service. The concrete examples demonstrate the complexity of queries and the interaction between the queries raised. In addition, the case studies illustrate the skills and knowledge required to provide key relevant information and to deal with personal and sensitive circumstances.

CASE STUDY NO. 1

HOUSING CRISIS/MAINTENANCE RECOVERY FROM LIABLE RELATIVE

The client was an unmarried father working and renting accommodation in Dublin. The unmarried father was paying voluntarily €150 maintenance weekly to the mother of his three children who was a recipient of One-Parent Family Payment. The Department Employment Affairs and Social Protection (DEASP) subsequently implemented the means test for maintenance recovery from liable relatives.

Under the law, an unmarried father is a liable relative and is required to pay maintenance to any dependent children who are not living with them. To recoup some of the cost of the One-Parent Family Payment, legislation enables the DEASP to carry out an assessment against the liable relative – usually the father – and issue a determination order for maintenance. This could be paid either directly to the department or to the custodial parent, with the One-Parent Family Payment to that parent reduced accordingly.

This assessment allows for a maximum of €95.23 per week for rent. However, due to the current housing crisis, his weekly rent was €250. Following the assessment, the DEASP ordered the unmarried father to increase the weekly maintenance to €250. This significantly higher amount of maintenance did not reflect his financial circumstances as it disregarded inflated rent prices. The unmarried father was distressed that he could not afford to pay that amount of maintenance. Yet the DEASP has powers under the Social Welfare (Consolidation) Act, 2005, to take an action in the District Court to seek enforced payment.

Treoir contacted representatives in DEASP. The Maintenance Recovery Section confirmed that the legislation only allows for €95.23 per week for rent when assessing a determination order against a liable relative.

Treoir has included this issue in its advocacy strategy and will seek to have it reviewed and updated.

CASE STUDY NO. 2

NON- PARENTAL GUARDIANSHIP COURT APPLICATION/NOTICE ON PARENT

A client contacted Treoir regarding difficulties with the non-parental guardianship court process.

In this particular case, the client had two children - each from a different biological father - and was married to somebody else. The client did not know the whereabouts of the fathers of her two children.

The client's husband tried to apply to court to be appointed a joint legal guardian of his stepchildren. However, the court clerk explained that it was necessary to put the father of each child on notice of the application in order for the application to progress. The client called in distress as in effect they were unable to proceed with the application.

The Children and Family Relationships Act 2015 enables the court to appoint a person, other than a parent, as a legal guardian if:

- a) The person is married to, in a civil partnership with or has cohabited with the child's parent for over 3 years and, in each case, has shared responsibility for the child's day-to-day care for more than 2 years.**
- b) The person has provided for the child's day-to-day care for more than 12 months and where there is no parent or guardian willing or able to exercise the rights and responsibilities of guardianship in respect of the child.**

An application to appoint a person other than a parent as a guardian shall be on notice to each person who is a parent or guardian of the child.

Treoir established that an application to the Court by a person who, not being a parent of a child, who wishes to be appointed as a legal guardian of the child has to complete a notice that shall be served upon each person who is a parent or guardian of the child concerned.

Arguably it is not in the best interest of the children that an application of this type would not be allowed when the whereabouts of the biological parent(s) is unknown. In addition, it is particularly harsh considering that, although a non-parental guardianship order shall not be made without the consent of each guardian, the court may make an order dispensing with the consent of a guardian of the child if it is satisfied that the consent is unreasonably withheld and that it is in the best interest of the child to make such an order.

Treoir informed the client that she could try to serve the notice at the last known residence, such as the residence of the biological fathers' parents, or employer/s. Alternatively, the client was informed that she could file an application for substituted service. Substituted service is when court documents can be served indirectly by giving the documents to another court-approved friend or family member or publicly publishing the process. Once the application could be progressed and a court hearing secured, the court would have discretion to determine the matter at issue in the best interest of the children.

CASE STUDY NO. 3

AUTOMATIC GUARDIANSHIP RIGHTS OF AN UNMARRIED FATHER

A father contacted Treoir regarding his guardianship rights. He has three children and had cohabitated with their mother for ten years. He and the mother separated in October 2016. The father was enquiring about what rights he had as a guardian. He believed that he had acquired automatic guardianship under the new legislation as he had cohabitated with the mother of the children for so many years.

The Information Officer informed him that he was not a guardian of the children. While he had lived with the mother for ten years, only the cohabitation that occurred after the 18th January 2016 was counted for guardianship purposes. All of the years that he lived with the mother and the children before the 18th January 2016 were not taken into account.

The Information Officer informed him of the options available to him to get guardianship of his children.

(A) By agreement with the mother

If the mother is in agreement with him becoming a guardian, then they can complete and sign the Statutory Declaration for joint guardianship (S.I. No 5 of 1998) in the presence of a Peace Commissioner, a Commissioner for Oaths, a Solicitor or a Notary Public.

The form declares that:

- *the parents have not married each other
- * they are the parents of the child
- * they agree to the appointment of the father as a guardian
- * they have entered into arrangements regarding the custody of (and access to) the child.

The S.I. No 5 of 1998 form can be downloaded from Treoir's website. A separate form is required for each child.

WHEN THIS FORM IS SIGNED AND WITNESSED IT NEEDS TO BE KEPT IN A SAFE PLACE AS IT IS THE ONLY EVIDENCE THAT THE FATHER IS A GUARDIAN. THERE IS NO CENTRAL REGISTER FOR THESE STATUTORY DECLARATIONS.

(B) Going to court

An unmarried father can apply to the local District Court to become a joint guardian of his child. While the mother's views are taken into account by the court in making a decision, the fact that she does not consent does not mean that the court will refuse an order for guardianship. The decision of the court will be made with the best interests of the child being the first and most important consideration.

The Children and Family Relationship Act 2015 radically changed family law in Ireland. The Act provides that where a non-marital father is living in a family unit with the child's mother continuously for a year, including not less than three months after the child's birth, he will automatically be a guardian of his child. Until this Act non-marital fathers have never been automatic guardians of their children. The cohabitation requirement is not retrospective.

CASE STUDY NO. 4

DECLARATION THAT A PERSON IS (OR IS NOT) A GUARDIAN

A father who is a guardian of his child contacted Treoir regarding his concern that the mother of his child had applied for a passport for the child without his consent. The father was automatically a guardian of his child. He had cohabited with the mother and the child for at least 12 months after the commencement date of the Children and Family Relationships Act 2015 on the 18th January 2016, (See Case study 3).

Where both parents are guardians of a child the signature of each guardian of the child is required on the Passport Application Form (APS1) before a passport will be issued.

In this case the mother had applied for a passport without seeking the consent of the father for the issuing of a passport for the child. She had signed the Sole Guardian Affidavit Form (AFFI). This form can be downloaded from www.dfa.ie/passport. The form must be accompanied by the APS1 form and the child's birth certificate and sent to the Passport Office.

As a guardian the father's consent was required for the issuing of a passport for the child.

The father contacted the Gardai and the Passport Office and informed them that he was a guardian of the child. The Passport Office informed him that they required documentation to show that he was the guardian of his child. The caller contacted Treoir for information on what documentation was required.

The information Officer informed him that under the Children and Family Relationships Act 2015, a declaration that a person is (or is not) a guardian can be applied for through the courts if there is uncertainty or disagreement, as to whether or not the father has been cohabiting with the mother for the required length of time. The application can be made by a guardian of the child or by the person wishing to seek a declaration that he is or is not a guardian of the child. The court shall make a declaration of guardianship where, having heard the evidence presented, it is proved on the balance of probabilities that the required cohabitation took place. The Information Officer directed the caller to the Treoir website where he could download Court Form No. 58.37 – notice of application for a declaration that a person is or is not a guardian.

Treoir has advocated for the introduction of a registration process for fathers who meet the cohabitation requirements under the Children and Family Relationships Act 2015 so that they can demonstrate that they have acquired guardianship rights without the involvement of the court.

B. PUBLICATIONS

INFORMATION PACK FOR UNMARRIED PARENTS

The Information Pack for unmarried parents was updated in 2017. The Information Pack is Treoir's principal publication and is updated every year. It is funded by the HSE Sexual Health and Crisis Pregnancy Programme. The Pack contains essential information for unmarried parents, their families and those working with unmarried parents, including information on access, custody, guardianship, crisis pregnancy, money during pregnancy and financial information following birth, child abduction, domestic violence etc.

Multiple copies were distributed to the maternity hospitals, Citizens Information Centres, Crisis Pregnancy Counselling Agencies, and other outlets. The Pack is sent out on request and is available to view and download from the Treoir website, www.treoir.ie. The Pack continues to be a hugely popular resource for both unmarried families and those working with unmarried families.

INFORMATION LEAFLETS

A great deal of work was undertaken in preparing and updating Treoir Information Leaflets which explained in detail the radical changes to family law introduced in the Children and Family Relationships Act.

The following is a list of Treoir's most popular leaflets:

- **Guardianship**
- **Access and Custody**
- **Maintenance**
- **Unmarried Fathers**
- **Passports**
- **Cohabiting Parents**
- **Establishing Paternity**
- **International Child Abduction**
- **Step-Parent Adoption**

The leaflets give more in depth information on the legal issues addressed in the Information Pack. The leaflets were widely distributed and multiple copies sent to all Citizens Information Centres, Citizens Information Services, Crisis Pregnancy Counselling Agencies and to all maternity hospitals. They are available to view and download from the Treoir website www.treoir.ie.

C. WEBSITE

Treoir began a process of updating the website towards the end of 2017 and plan to go live within the first quarter of 2018. The new format should make it even easier for people to find the information they want more quickly and the site will be mobile responsive.

Treoir's website is informative, factual and up to date with information for unmarried families. Treoir maintains the website to ensure that it remains accessible and easy to navigate. The time people are spending on the website has increased over the past years with more and more people seeking to use the website for information.

D. OUTREACH

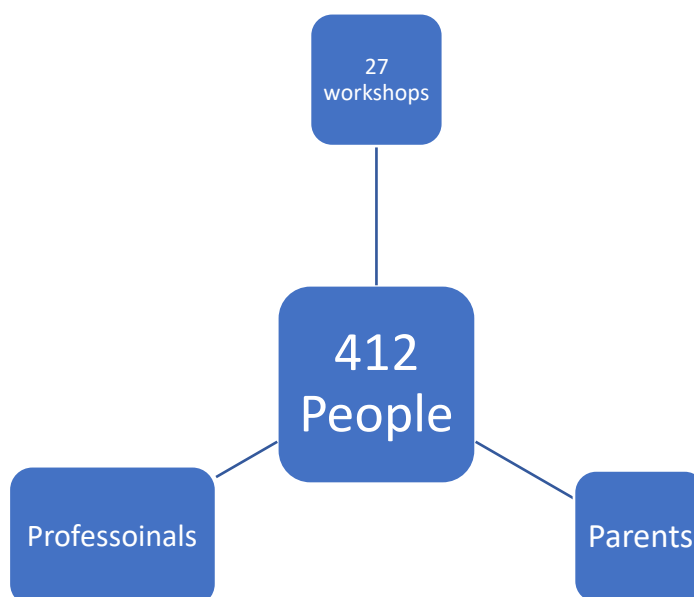
Treoir provides outreach information workshops to groups of unmarried parents and to groups of workers who provide services to unmarried parents.

The aim of the workshops is to provide accurate and up-to-date information on matters of relevance to parents and their children. Topics covered include:

- the legal rights and responsibilities of parents who are not married to each other (such as guardianship, access, custody, birth registration, cohabitation, passports etc.)
- social welfare allowances, employment and training/education opportunities which are available to parents
- shared parenting and explaining family relationships to children.

Workshops are tailored to respond to the needs of individual groups.

In 2017 Treoir provided 27 workshops to groups throughout the country.



Treoir delivered 27 workshops to groups of workers and volunteers who provide services to unmarried families and their extended families.

Four hundred and twelve people participated in the workshops.

Participants were briefed on the provisions of the Children and Family Relationships Act 2015.

Workshops were attended by a wide range of service providers, including: HSE social workers in CAMHS (*Child & Adolescent Mental Health Service*), workers in Family Resource Centres, Youth and Community Projects, Citizens Information Centres/Services, Tusla Education Welfare Services, workers in a refuge for women and children, doctors participating in a HSE Training Scheme in General Practise, workers providing pregnancy counselling services, and Tusla social workers.

Seven workshops were provided to parents in a variety of settings, including parents in the Defense Forces, Fathers' Group attending the Foundation Project which is a City of Dublin Education Training Board (CDETB) and HSE initiative for people using homeless services, parents participating in local training/education programmes, parents in Family Resource Centres and Community projects.

Workshops took place in:

CASHEL	CORK	DONEGAL
DUBLIN	DUNDALK	DUN LAOGHAIRE
GALWAY	KILKENNY	LEIXLIP
LISTOWEL	MAYNOOTH	NAVAN
THURLES	WATERFORD	WICKLOW

FEEDBACK FROM WORKSHOP PARTICIPANTS

“Many thanks for your presentation and information stand at the Health & Wellbeing Open Day at Renmore Barracks. Your involvement was very much appreciated. I have been advised that your presentation was informative and accessible and the feedback from same has been consistently positive. I look forward to other opportunities to work again with Treoir”.

(Email from social worker Defence Forces)

“I recently attended one of your workshops delivered to EWS personnel of TUSLA in Kilkenny. The workshop was immensely beneficial and thoroughly informative “

(Email from Educational Welfare Officer)

“Thanks for a brilliant training today, I think I speak on behalf of the whole team that we found the training very interesting and informative”.

(Email from outreach worker in Women's Refuge)

“A huge thank you for your time that you were able to give, not only to the professionals, but also to the members of the public. I really appreciate it”

(Email from worker in a Family Resource Centre)

POLICY DEVELOPMENT / RESEARCH

Treoir will advocate effectively on behalf of unmarried parents to ensure the best outcomes for them and their children

POLICY

Treoir advocated on behalf of unmarried parents and their children in 2017 through, influencing family legislation, developing policy programmes informed by queries from Treoir's National Specialist Information Service and working to promote the rights of children to have a relationship with both parents where possible.

Treoir principles:

- recognises the diversity of family life in Ireland
- recognises that all families, including unmarried families, have the same rights to respect, care, support, protection and recognition
- supports and promotes the rights of all children as outlined in the United Nations Convention on the Rights of the Child
- believes that all children have a right to know, be loved and cared for by both parents*

*where possible and where no risk is identified with regard to the child's welfare as a result of contact with a parent.

7th World Congress on Family Law and Childrens' Rights, Dublin

The World Congress on Family Law and Childrens' Rights is a leading international forum for discussion and deliberation on family law and children rights issues. The **7th World Congress on Family Law and Childrens' Rights** took place in Dublin in June 2017. It brought together organisations and individuals with a common interest in the active protection of **children** and the promotion of effective **family law**.

Internationally renowned speakers from all over the world, including Ireland, the United Kingdom, the United States, Canada, Australia, New Zealand, the Netherlands, Norway, Sweden, Israel, South Africa, Ghana, Singapore, Hong Kong, and Thailand amongst others, participated in this Congress.

After a tremendous response to a call for abstracts, Treoir succeeded in contributing to the conference program by presenting a poster titled "*Ireland, Children Rights and Unmarried Parents: A Case for Reform*".

The poster showcased internationally the particular circumstances in Ireland regarding guardianship rights of non-marital children and highlighted the need for reform.

(See appendix 1 – Poster "A case for Reform").

Affordable Child Care Scheme

The Department of Children and Youth Affairs (DCYA) published the Heads of Bill and General Scheme for the Affordable Childcare Scheme (ACS) on the 30th of January 2017. The Government referred the Heads to the Joint Oireachtas Committee on Children and Youth Affairs for scrutiny, providing the Children Rights Alliance (CRA) with the opportunity to make a submission. As a member of the CRA, Treoir contributed to their submission to the Affordable Childcare Scheme with the following main points:

- The need to exclude child maintenance and Family Income Supplement from assessable income.
- The requirement that only legally enforceable maintenance agreements being paid by a non-resident parent should be deductible as part of the income assessment was inappropriate as many parents have informal agreements in the context of shared parenting
- Housing costs should be deductible from income either in full or part
- Same subsidy rates for different areas of the country, regardless of the differences in childcare costs geographically, was unrealistic
- The immediate need for a Quality Framework for After-School provision
- The need for measures to prevent childcare providers from increasing their fees and passing this on to low-income families

Social Policy Network

Treoir hosted a meeting of the Social Policy Network in April 2016. The Social Policy Network is a forum for people working in voluntary or statutory organisations whose work includes a social policy interest or policy remit. Members of the Social Policy Network meet approximately every two months to outline recent social policy work in their organisations.

Department of Education & Skills

The Department of Education and Skills published the report on “*An Independent Review to Identify the Supports and Barriers for Lone Parents in Accessing Higher Education and to Examine Measures to Increase Participation*” in August 2017.

It was recommended that a cross Departmental group would be established to respond to the recommendations of the review. In November 2017 Treoir was invited to nominate a representative onto this Steering Committee to implement the recommendations. This steering group plans to meet quarterly during 2018.

TEEN PARENTS SUPPORT PROGRAMME

Strategic Objective: Treoir will support those working with young parents in Ireland

TPSP COORDINATION AND SUPPORT

During 2017, Treoir achieved this Strategic Objective mainly through the post of National Coordinator of the Teen Parents Support Programme (TPSP) which is based in Treoir. The main purpose of this post is to provide a central focal point for the promotion of the work of the TPSP and the enhancement of the lives of all young parents including those living outside areas covered by a TPSP.

The TPSP consists of eleven separate projects located throughout the country in a range of statutory, community and voluntary organisations. The projects, which are funded by Tusla and the HSE, work with young people who become parents when they are aged 19 years or under and, where needed, support them until their children are 2 years of age. The TPSP provides mainly early interventions which enhance and support the wellbeing of young parents and their children, empower young parents in their parenting role and ensure equality of opportunity for parent and child. During 2017, the TPSP supported 861 young parents, their children and families.

During 2017, the National Coordinator continued to support the 11 TPSP projects as well as other professionals working with young parents.

This was achieved mainly through:

- maintaining regular contact with TPSP projects and holding regular meetings of all project staff, project management and the TPSP National Advisory Committee
- keeping TPSP staff informed of changes in government policy and legislation in areas which affect young parents such as education and training, childcare, social welfare, birth registration, guardianship and housing
- maintaining contact with key staff in relevant government departments and State agencies and advocating on behalf of the TPSP and young parents nationally
- collecting, collating and analysing detailed data from the TPSP database in relation to referrals received and supports offered by the TPSP. This is used for the annual TPSP Summary of Work; for reports to Tusla; to explore outcomes and to inform TPSP policies and advocacy
- providing training to TPSP staff and other professionals working with young parents
- maintaining the TPSP website.

TPSP Meetings

To ensure cohesion and the flow of communication among all strands of the TPSP structure, in 2017 two separate meetings were organized for all TPSP staff, TPSP Employing Organisations and the TPSP National Advisory Committee. The Coordinator followed up issues raised at these meetings such as Home Tuition, childcare and aspects of the supplementary welfare system.

Policy and advocacy

One of the other main ways in which the TPSP supports all young parents in Ireland is through advocating on their behalf. During 2017, this was achieved mainly through the TPSP Pre-Budget Submission 2018 and meetings to progress written submissions made in 2016 in relation to crucial issues affecting young parents. These included meetings with:

- Minister Varadkar and Senior Officials in the DEASP regarding the administration of the Exceptional Needs Payments; the Back to Education Allowance and Child Benefit for Mothers under 16 years of age
- Senior Officials in the Early Years Unit of the DCYA regarding the proposed Affordable Childcare Scheme and
- Senior Officials in Tusla Education Welfare Services regarding the School Completion Programme.

In terms of outcomes, the TPSP received written assurance from Minister Varadkar that where legislation allows for discretion (such as in relation to the Back to Education Allowance), this discretion would be used in favour of teen parents, that DSP officials would be directed accordingly and that the TPSP could inform the Department if they found that this discretion was not applied as directed.

In relation to the Affordable Childcare Scheme, the DCYA undertook to try to find a mechanism which would allow an exception to be made for student parents in Second Level education in relation to certain conditions of the Scheme.

Following its Pre-budget Submission 2018, the TPSP succeeded changing how Child Benefit is applied to mothers under 16 years of age. Previously a mother under 16 years of age was precluded from getting Child Benefit for her baby. Instead, it was paid to her mother i.e. the maternal grandmother. In the view of the TPSP this ran counter to supporting a young mother to fully take on her new role and responsibilities as a parent. It was also inconsistent with the fact that in all other respects the Department of Social Protection treats a young mother and her baby as a separate family unit and she may apply for One-parent Family Payment regardless of her age. In October 2017, the National Coordinator received correspondence from Regina Doherty T.D., the current Minister for Employment Affairs and Social Protection stating that from October 2017 'Child Benefit would now be paid to all new applications from mothers under 16 years of age'. The Minister added 'This change will ensure consistency across all our schemes in terms of how we treat young mothers'.

In 2017, the TPSP National Coordinator also represents the needs of teen parents and unmarried parents on The Parenting Network facilitated by the Centre for Effective Services.

Promoting the work of the TPSP and networking with other agencies also ensures that TPSP staff and participants are consulted in major pieces of research to do with their client group such as *Roma in Ireland: A National Needs Assessment* which was completed in 2017.

Reporting to Tusla

In addition to responding to queries on an ongoing basis, in 2017 the National Coordinator provided the Corporate Planning and Corporate Performance Section (CPCP) of Tusla with quarterly updates on the numbers of young parents supported by the TPSP projects.

Training for TPSP staff and dissemination of TPSP expertise

During 2017, the TPSP organized two workshops targeting all those working with young parents. The first of these, the Focus on Fathers Workshop, built on materials developed previously by the Louth TPSP and funded at that time by the Crisis Pregnancy Agency. This workshop was co-facilitated by Veronica Black, Treoir's Information and Training Officer and Finian Murray, Men's Health Development Worker, HSE Dublin North East. To date, 45 non-TPSP workers have completed this training.

In 2017, the TPSP also organized a Workshop based on The TPSP Toolkit. The TPSP Toolkit, which was funded by the HSE Sexual Health and Crisis Pregnancy Programme, brings together in one resource manual, the knowledge, skills and experience of TPSP staff focusing on what are the distinct needs of teen parents. This was the 11th Toolkit Workshop organised by TPSP bringing to 159 the number of professionals working in non-TPSP areas who have availed of it. These include youth workers, social workers, family support workers, aftercare workers, staff in family resource centres, crisis pregnancy counsellors, those working with marginalised groups such as young Traveller mothers and those working in drug addiction services.

Both these Workshops have proved to be a very efficient way of disseminating learning and good practice from the TPSP to staff in areas where there are no specific support services for teen parents. They are also a way in which young parents living in these areas can benefit to some extent from the resources and expertise of the TPSP.

TPSP Website

The TPSP website (www.tpsp.ie) was updated regularly with items of interest to young parents and those involved with them. In 2017, there were 58,748 pages viewed.

The Coordinator also acts as a source of information, advice and guidance for professionals working with young parents in areas where there is not a TPSP and directs them to other appropriate services. She also responds to queries from pregnant and parenting teens and their parents/guardians from areas where there is not a TPSP.



Treoir's stand at the Tallaght Health Fair. Damien Peelo, CEO attended the successful day event along with his colleague, Joanne Hickey.

RAISING AWARENESS / PUBLIC RELATIONS

Strategic Objective: Treoir will continue to raise awareness on issues affecting unmarried parents and will promote the availability of Treoir's services

Unmarried Fathers and Automatic Guardianship

From the 18th January 2017, for the first time in Irish law, a non-marital father automatically becomes a joint legal guardian of his child if he has cohabited with the child's mother for a minimum of 12 consecutive months, including at least 3 months after the child's birth. Treoir issued a press release to raise awareness that this groundbreaking provision of the Children and Family Relationships Act 2015 came into effect in January 2017, as the 12 consecutive months must occur after the date of its commencement on the 18th of January 2016.



Actors India Mullen and Adam Weafer, who played unmarried parents Katie and David in TV3's television series Red Rock, took part in a photo call in order to maximise media coverage. They also assisted in raising awareness through social media channels.



Adam Weafer
@AJWeafer

Feb 18

New law passed this year
Positive significant changes made in
regards to Fathers rights. Better than Kidnap
👁👁@RedRockTV3 @TREOIR #BeInformed



The press release generated considerable attention particularly in regional media. Most notably the Cork Evening Echo ran a week-long series on Fathers' Rights and an interview with Pat Kenny in Newstalk took place. Subsequently, a representative from the Department of Children and Youth Affairs contacted Treoir to discuss policy issues, in particular the need to:

- Commence the provision of the Children and Family Relationships Act enabling unmarried couples to become joint guardians of their children by agreement at the point of birth registration
- Set up a Guardianship Central Register for the statutory declarations of joint guardianship
- Start the discussion to introduce automatic guardianship for unmarried fathers subject to certain exceptions

Adoption (Amendment) Act 2017

In October 2017, Treoir issued a press release welcoming the commencement of the Adoption (Amendment) Act 2017, which amends the Adoption Act 2010 to give legislative effect to the thirty-first amendment of the Constitution (Children) Act 2012.

The Act amends adoption law to recognise those who are caring for children, irrespective of their biological ties. Any couple living together in a civil partnership or cohabiting together for at least 3 years can now apply to adopt a child. Previously only married couples or individual applicants could apply to adopt. In addition, all children can now be considered equally in terms of their eligibility for adoption. The fact that they were adopted previously or born to married parents is no longer an automatic restriction.

Following the press release, an interview in Dublin City Radio FM took place and an article in the HSE Sexual Health News Magazine was scheduled.

AGM 2017 – The Constitutional status of the unmarried family

As part of Treoir's role to create awareness of the issues affecting unmarried families we were delighted to have Professor Gerry Whyte from Trinity College give the keynote address at our 2017 AGM.

Professor Whyte spoke about the legal situation for unmarried families and how the non-marital family is not recognised as a family under Articles 41 and 42 of the Constitution and therefore does not enjoy the same inalienable and imprescriptible rights that are attributed to the marital family.

However, Professor Whyte suggested that changes over the past 20 years to the provisions of the Constitution dealing with the family and children have amended the philosophical influence of Catholic Social teaching on the Constitution. Coupled with the fundamental shifts in our society since its adoption, these changes warrant a recognition that members of a non-marital relationship and non-marital parents of both sexes in particular, enjoy acknowledgement of inherent constitutional rights in relation to their children and each other on a wider basis than has been recognised thus far.

A full copy of Professor Whyte's talk is available on our website:

<http://www.treoir.ie/2017/06/30/treoir-agm-2017/>

The challenges for Treoir is to ensure that all families, regardless of marital status are recognised and their full rights upheld under Irish law. Treoir will examine whether a constitutional change is necessary to safeguard the rights of non-marital families and their children.

GOVERNANCE

Treoir will have a robust governance and HR system to deliver a professional service which is fully compliant with company and charity legislation

The Council of Treoir places great value on good governance of the organisation and compliance with all company and charity legislation. Treoir is on the journey to be compliant with the Code of Governance for the Community and Voluntary Sector and continually reviews and updates its processes and procedures in line with good practice. In 2017, Treoir began the process of amending its Memorandum and Articles of Association to ensure compliance with the requirements of the Companies Act, 2014 and the Charities Regulatory Authority.

The Council of Treoir have two sub-committees to carry out important functions on its behalf: a **Finance and Audit Sub-Committee** and a **HR Sub-Committee**.

Finance and Audit Committee:

This committee was re-established in July 2017 and met 3 times before the year end. This Sub-Committee's work included:

- Formulating the 2018 budget
- Reviewing statutory accounts
- Ensuring Treoir is compliant with the Good Governance Code
- Reviewing, updating and developing policies and procedures
- Meeting with external auditor in preparation for audit
- Reviewing Treoir's Risk Management

Membership of this sub-committee are Marian Barnard (Chair), Liam Kirwan, Deirdre Pemberton and Ruth Barrington

HR Sub Committee

This sub-committee was established in October 2017 and met twice before the end of the year. The sub-committee developed its terms of reference and developed a work programme for 2018.

The work of the sub-committee included:

- Review of the staff handbook
- Updating key policies and procedures
- Compliance with the Good Governance Code as it relates to staffing policies.

Membership of this sub-committee are Liam Kirwan, June Tinsley and Ciara McKenna.

FINANCIAL REPORT

Company Registration No. 82321 (Republic of Ireland)

TREOIR THE NATIONAL FEDERATION OF SERVICES FOR UNMARRIED PARENTS AND THEIR CHILDREN COMPANY LIMITED
BY GUARANTEE

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2017

TREOIR THE NATIONAL FEDERATION OF SERVICES FOR UNMARRIED PARENTS AND THEIR CHILDREN COMPANY LIMITED BY GUARANTEE

INCOME AND EXPENDITURE ACCOUNT

FOR THE YEAR ENDED 31 DECEMBER 2017

		Restricted Funds	Unrestricted Funds	Total	Total
	Notes	2017 €	2017 €	2017 €	2016 €
Incoming resources					
Other Income	3	-	4,661	4,661	336
Charitable activities	3	398,724	22,184	420,908	465,750
Total incoming resources		398,724	26,845	425,569	466,086
Resources expended					
Raising funds		-	-	-	-
Charitable activities	4	(418,183)	(46,478)	(464,661)	(447,833)
Total resources expended		(418,183)	(46,478)	(464,661)	(447,833)
Net (deficit) /surplus for the	5	(19,459)	(19,633)	(39,092)	18,253

The Income and Expenditure Account has been prepared on the basis that all operations are continuing operations.

TREOIR THE NATIONAL FEDERATION OF SERVICES FOR UNMARRIED PARENTS AND THEIR CHILDREN COMPANY LIMITED BY GUARANTEE

BALANCE SHEET

AS AT 31 DECEMBER 2017

	Notes	2017 €	€	2016 €	€
Fixed assets					
Intangible assets	7		2,467		-
Tangible assets	8		3,875		5,520
			<u>6,342</u>		<u>5,520</u>
Current assets					
Debtors	10	1,115		1,461	
Cash at bank and in hand		95,256		104,357	
		<u>96,371</u>		<u>105,818</u>	
Creditors: amounts falling due within one year	11	(49,282)		(18,815)	
Net current assets			<u>47,089</u>		<u>87,003</u>
Total assets less current liabilities			<u>53,431</u>		<u>92,523</u>
Reserves					
Restricted funds	15	(8,327)		11,133	
Unrestricted funds	15	61,758		81,390	
Members' funds			<u>53,431</u>		<u>92,523</u>

The financial statements were approved by the board of directors and authorised for issue on
and are signed on its behalf by:

.....
Ruth Barrington
Director

.....
Deirdre Pemberton
Director

Appendix 1

Acknowledgements

We wish to thank the HSE, HSE Sexual Health and Crisis Pregnancy Programme, TUSLA and the Citizens Information Board without whose financial support the organisation would not exist.

We thank Professor Gerry Whyte for addressing our AGM and Conference in 2017 and for an indepth and comprehensive presentation on the Constitutional Status of the Unmarried Family.

Staff of various government departments have kindly given of their time to Treoir either through making presentations or discussing policy issues.

Rosemary Grant continues to chair the National Advisory Committee of the Teen Parents Support Programme with great enthusiasm. We thank her sincerely for the contribution she makes in that role.

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