treoir | Informing Unmarried Parents

The National Federation of Services for Unmarried Parents and their Children

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Submission to the Oireachtas Committee on Housing, Local Government, and Heritage regarding the proposed drafting of the updated byelaws for Waterways Ireland.

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About Treoir

Treoir was founded in 1976 and is the national federation of services for unmarried parents and their families. Treoir along with its member agencies, promotes the rights and welfare of unmarried parents and their children and advocating on their behalf. Treoir recognises the diversity of Irish families and believes that all families, including non-marital families, should be valued equally and receive the same level of protection and support from the state.

Treoir works to achieve this by:

- Providing a National Specialist information Service to parents who are not married to each other, their families and those working with them by providing information through our phone service, website, and outreach workshops.
- Co-ordinating the National Teen Parent Support Programme.
- Managing the National Manager for Kinship Care.
- Promoting and supporting shared parenting.
- Undertaking and promoting research to examine issues that impact non-marital families.

Treoir's concerns

Treoir welcomes the opportunity to make a submission to the Oireachtas Committee on Housing, Local Government, and Heritage regarding the proposed drafting of the updated byelaws for Waterways Ireland.

The new draft byelaws have thrown up some unintended consequences for non-marital families and co-habiting couples, the draft byelaws classify a houseboat as a boat on the canal used as a residence by the owner, and/or their immediate family with the owner's permission. Treoir's concern in relation to the new draft byelaws is primarily the definition of the family, "*Immediate family*" within the byelaws. According to the proposed draft byelaws, "*immediate family*" means spouse, civil partner and/or children and/or parents of the owner. This clearly discriminates against non-marital families and has several implications for those families. According to the draft byelaws only immediate family of the owner of the boat can take up residence on the boat. So according to the proposed draft byelaws, if a couple were not married, they could not live together, and if they had children, the parent who is not the owner, could not live with their children. This would have an impact on the rights of the child, to be cared for and raised by both parents, not to mention the rights of the couple to live together.

This also has implications for guardianship through co-habitation.

In modern Ireland, where our population and household composition has become increasingly diverse, we find it worrying that such a regressive and draconian byelaw should even be considered. The waterways community is a small tightknit community, and this does only impact a small number of families, but even if only one family was impacted, Treoir would still advocate on their behalf.

Treoir would ask that these draft byelaws are reviewed, and equality proofed to avoid discriminating against specific groups. We ask that the definition of family within the byelaws be clarified and framed in a way as not to discriminate against families that are not based on marriage. The Equal Status Acts 2000-2018 ('the Acts') prohibit discrimination in the provision of goods and services, accommodation, and education. They cover the nine grounds of gender, **marital status, family status**, age, disability, sexual orientation, race, religion, and membership of the Traveller community.[1]

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[1] https://www.ihrec.ie/guides-and-tools/human-rights-and-equality-in-the-provision-of-good-and-services/what-does-the-law-say/equal-status-acts/#:~:text=The%20Equal%20Status%20Acts%202000,membership%20of%20the%20Traveller%20community.