

Introduction

One Family is Ireland's leading support organisation for people parenting alone, sharing parenting, separating and those with crisis pregnancy. We were established in 1972 as Cherish, and provide specialist parenting and family support services around Ireland; we train professionals on working with one-parent families and we promote policies that positively impact on one-parent families. Children are at the centre of our work.

One Family welcomes the opportunity to contribute to the Law Reform Commission's Fifth Programme of Law Reform, particularly with reference to meeting a real community need, creating a public benefit, and modernising outdated law.

Context

In Ireland, 25.4% of all families are headed by lone parents, whether they are separated, divorced, single or widowed, while 21.2% of all children live in one-parent family units - approximately 356,203 children¹.

Building on Former Recommendations to the Law Reform Commission:

In our previous submission to this Commission One Family focussed on the need to establish modern Court Welfare and Child Maintenance Services which would facilitate the needs of parents negotiating child maintenance, access and custody, and protect those experiencing domestic violence in such circumstances.²

A review of Articles 41 and 42 in relation to family life now required

In this submission One Family wishes to reaffirm our long term objective of changing the definition of the family contained in Article 41 of the Constitution to ensure equality for all children and their parents. While considerable progress has been made to recognise diverse family forms through the introduction of the Children and Family Relations Bill (2016) a review of Articles 41 and 42 in relation to family life is still required and in particular and in particular 41.3.1 in order to ensure equality for all children and families in Ireland.

In 2006, this issue was examined by the All Party Oireachtas Committee on the Constitution in their *Tenth Progress Report on the Family* (2006).³ However, no recommendations were made in relation to a referendum on the definition of the family which leaves unmarried and one-parent families, and their children, without equal recognition. Examining the issue of the family in the Constitution could help clarify and contextualise thinking about family life in Ireland into the future and would be a timely response to ongoing change in Irish society.

¹<http://www.cso.ie/en/csolatestnews/pressreleases/2017pressreleases/pressstatementcensus2016resultsprofile4-householdsandfamilies/>

² https://onefamily.ie/wp-content/uploads/2011/12/OneFamily_Submission-to-Law-Reform-Commission-on-the-Preparation-of-the-Fifth-Programme-of-Law-Reform_Sept17_final.pdf

³ <https://www.constitution.ie/Documents/Oireachtas%2010th-Report-Family%202006.pdf>