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Call for guardian status for all fathers

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UNMARRIED FATHERS should be granted automatic guardianship on the birth of their children, the Equality Authority has said.

In a submission to the Law Reform Commission's consultation paper, *Legal Aspects of Family Relationships*, the authority said parental responsibility should automatically be conferred on all fathers regardless of marital status.

The LRC's consultation paper examines how the law should approach the rights and responsibilities of fathers, step-parents, grandparents and other members of the extended family in contemporary Ireland, while taking into account the best interests and welfare of children.

In its submission to the paper, the authority said Irish law copes poorly with the realities of family life. It fails to recognise the responsibilities of a number of important people in the child's life.

Chairwoman of the Equality Authority Angela Kerins said more and more children are being raised in families that do not meet the prescribed constitutional norm of the family based on marriage.

"In particular, many children are growing up in families headed by unmarried cohabiting couples, including opposite-sex and same-sex couples, while a growing number of children are being raised in one-parent families," she said.

She said there is a need to recognise a much wider frame of responsibility and equality in respect of parenting than is currently the case in Irish law.

Among its recommendations to the LRC, the authority said as a matter of principle, an unmarried father should be granted automatic guardianship on the birth of his child.

But a mechanism should also be provided for the removal of parental responsibility in exceptional circumstances.

The authority also recommended the introduction of provisions to allow for the conferral of parental responsibility on people who have a de facto parenting role in a child's life, such as the new spouses or civil partners of biological parents.

It called for the introduction of paternity leave for fathers and for a mother to have the right to voluntarily assign a portion of her maternity leave to her spouse or partner.

Access to children by wider family members, such as grandparents, should also be addressed, the authority said.