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## Recognising diverse family forms in legislation

Treoir, *the National Specialist Information Service for Unmarried Parents*, welcomes the publication by Minister Fitzgerald, T.D., of the General Scheme of the Children and Family Relationships Bill 2014. Treoir particularly welcomes the proposal to grant automatic guardianship rights to unmarried fathers who have been cohabiting for one year. Unfortunately, the Bill does not include any procedure to verify whether in fact a couple has been cohabiting for the requisite time which could result in litigation at a later stage if the relationship ends.

The Bill does nothing to improve the legal position of non-cohabiting unmarried fathers in relation to their children. They will continue to require either the agreement of the mother or to apply to court for guardianship. Many fathers are very involved in the lives of their children and take their responsibilities as fathers very seriously. Treoir strongly recommends that there should be an opportunity for unmarried fathers who are not cohabiting to acquire guardianship rights at the point of birth registration where both parents agree.

Treoir has been campaigning for many years for the establishment of a **Central Register for Joint Guardianship Agreements**. At present, if a Declaration is lost, there is no evidence that the father is a guardian and no possibility of acquiring a copy. Treoir recommends the establishment of a Central Register for Guardianship Agreements where all agreements could be recorded. In addition those fathers acquiring automatic rights through cohabitation could have the fact of acquisition of guardianship recorded in the Register.

There are many aspects of the Bill which are particularly welcome e.g. the emphasis on the right to identity of the child and shared parenting, the proposal to enable step-parents, cohabiting partners or those acting in loco parentis for a specified period to apply for guardianship and custody.

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