



IRELAND

1. THE STATUS/ROLE OF FATHERS AND THE NATURE OF FATHERHOOD

1. The role of the father in the family

1.1 How would you describe the respective roles of family members (father, mother, children) and their mutual relations ?

1.2 Are there different trends to be seen? In what way is the role of the father changing? Why?

Traditionally Irish families have consisted of a "breadwinner" father and a mother working in the home. Indeed, the Irish constitution, adopted in 1937, makes specific reference to the role of mothers in the home. Article 41 of the Constitution states that :

- "1.1 The state recognises the Family as the natural primary and fundamental unit group of Society ...
- 2.2 In particular, the State recognises that by her life within the home, women give to the State a support without which the common good cannot be achieved.
- 2.2 The State should, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home."

In common with other countries, recent years have seen a move away from this traditional pattern. Married women's participation in the paid labour force has increased from 5.2% in 1961 to 29.2% in 1992. Women are still considerably more likely to be full-time at home than are men : in 1992, over 473,000 married women described their principal economic status as "On Home Duties", compared to only 2,800 married men. Part-time work (often seen as a way of combining employment with family duties) is more commonly undertaken by women than men - almost three quarters of part-time workers are women.

2. The legal status of the father in relation to his child

2.1 Are there differences in the status between the father and the mother in legislation and in practice?

The rights and duties of married fathers are co-equal with those of mothers with regard to their role as parents; married parents of a child have automatic joint guardianship of the child. In the case of unmarried parents, only the mother has automatic guardianship; the father of a child born outside marriage may apply to court to become guardian of his child jointly with the child's mother and the court makes its decision treating the welfare of the child as the first and paramount consideration.

A number of Questions in the original Questionnaire were not addressed at all

In cases where parents separate, custody can be awarded to either parent. In practice, it is far more common for custody to be awarded to the mother than the father.

As regards maintenance, both parents are liable : a parent's liability for maintenance of his/her child applies to children born outside marriage, as well as children of married parents.

As regards adoption, the European Court of Human rights has recently issued a judgement (Keegan -v- Ireland) in relation to the rights of natural fathers in adoption placement. Following this judgement, matters relating to custody and guardianship of infants are being kept under review. Examination of the question of whether amending legislation is needed is at an early stage.

3. Changing family and social structures

3.1 Among the changes in family structures which are taking place in many countries are: increasing divorce rates, increase in single parent families, increase in cohabitation without marriage, and an increase in reconstituted families with so-called step-relationships. How are these changes affecting the status of the father in the family?

3.2 Are there legal, fiscal or social protection differences depending on whether the parents are married or cohabiting ? Is the father's responsibility for his child modified?

Legal : Although an unmarried father does not automatically acquire guardianship rights (see 2.1 above), he still has a duty to maintain his child. If he does not do so, the mother may take court proceedings to ensure that maintenance is paid in respect of the children. A child has the right to inherit property from his/her father, even if the parents are unmarried.

Fiscal and Social Protection : In the tax system, the tax exemption limits are higher for those with children than those with none.

In the Social Welfare system weekly payments (e.g. Pensions, sickness benefits etc.) include an extra amount for each "child dependant". Cohabiting couples are, in general, treated the same as married couples : the Child Dependant Allowance is paid to the person with whom the child is living. ?

II. FATHERS AND CHILDREN

4. Before the birth

Information is not available on decisions concerning the start of the family etc.

5. At the time of birth

It is general to encourage fathers to be present at the birth.

The father's participation in the life of his children

What is the role of the father in transmitting values to children? Have any studies been carried out on the father's importance as a role model (i) for young children, (ii) for teenagers (boys, girls)?

We are not aware of any significant research on this topic in Ireland. X

How do fathers and mothers allocate time to different activities (child care, housework, paid work, leisure, etc.)? Have any major changes taken place in this allocation of time during the last 20 years?

One study³ has looked at the involvement of mothers and fathers in household tasks (including child care). The study was based on who has responsibility for different tasks, rather than the time allocated to them. It should also be noted that this study was based on a sample of urban mothers. The mothers were asked who mostly performed a range of child care tasks. The responses are given in Table 1 following :

TABLE 1

WHO IS MOSTLY RESPONSIBLE FOR A RANGE OF CHILD CARE TASKS

	Father only	Mother only	Both	Other	TOTAL
Putting to bed	11.7	42.7	41.7	4.0	100 %
Homework	23.0	43.3	30.4	3.4	100 %
Playing	18.9	13.1	66.1	2.0	100 %
Outings	15.5	10.7	72.1	1.6	100 %
Discipline	16.1	25.6	59.7	.4	100 %
School meetings	<u>3.4</u>	52.7	43.1	1.0	100 %

This shows that the mothers carry most of the responsibility, although fathers take a more active role and even perform some of the tasks more often than the wives. Interestingly, it is in the more pleasant tasks of playing with the children and going on trips with them that fathers score highest. In all the other duties, especially the more difficult ones such as disciplining, helping with homework, getting the children to bed and attending parents meetings in school, responsibility falls mainly on the mothers.

As comparable data for earlier years is not available, it is not possible to measure changes over the last 20 years.

³"Fathers in Families" Dr Gabriel Kiely, Family Studies Centre, University College Dublin.

6.3 How much time do fathers allocate to doing things with their children? Is this different according to the age of the child? What factors keep fathers away from their children?

The study on "Fathers in families" did not look specifically at differences relating to the age of the child. However, it did find that:

- after 16 years of marriage fathers spend less time with their children.
- fathers over the age of 50 participated less in child care duties.

These findings suggest that fathers spend more time with their children when they are younger. It is also possible that this represents a generational difference between older fathers and younger fathers.

In relation to the factors which keep fathers away from their children, the survey asked women the reasons why their husbands did not participate more in housework and child care. This question was asked of those whose husbands did not participate as much as they would like. It should be noted that the replies give the woman's view of the reasons, not the man's. The survey found that the reason for low participation of men in household and child care related to work in around 25% of cases (i.e. the man's job was too demanding). In almost two thirds of cases, the low participation was attributed to the attitudes of one or both partners (e.g. husband not interested, husband sees it as wife's job, wife sees it as her job etc.).

6.4 Have any steps been taken in order to influence the internal division of labour/allocation of time within the family?

No specific measures have been taken.

6.5 Have any studies been carried out in your country on the effect of unemployment and/or the fear of unemployment on the allocation of time among fathers, for example as regards participation in child care? How is family life affected by the working life, or the unemployment, of fathers?

We are not aware of any specific studies. The survey above found that there was very little difference between employed and unemployed fathers in terms of child care.

7. Caring for ill children at home

There is no legal entitlement to time off work for either parent to look after a sick child.

In the case of a disabled child, a Domiciliary Care Allowance is paid by Regional Health Boards subject to certain medical criteria. This can be paid to either parent. In practice, it appears to be more common for mothers to apply for the payment than fathers.

8. Fathers and working life

8.1 In the context of employment and working life, what is the perception of fatherhood and of family responsibilities? Are there trends towards a more family-friendly approach? (for instance, concerning child-care issues)?

Pressures towards a more "family - friendly" approach to working life have tended to come from women's organisations, rather than specifically from fathers. For example, the Second

commission on the Status of Women, which was appointed by the Government, stated in its Report (January 1993) :

"One of the most important strategies for dealing with the barriers obstructing women's participation in the work place is to provide greater flexibility in work. This would also enhance the range of choices available to men, who still tend to assume a "helping" role with domestic tasks rather than a sharing one".

The Commission recommended that policies for child care be developed, and that more flexible working arrangements should be made available through negotiation and agreement.

3.2 Is a man's decision to become a father influenced by his employment situation?

Information not available. X

3.3 How do changes in the role of fathers affect the possibilities for women to work outside the home?

Although there has been a notable increase in the proportion of married women in the paid labour market, there is no evidence to indicate whether or not changes in father's roles have an impact on this.

9. Fathers and society

9.1 Are there any movements such as fathers' associations in your country? Do they have a representative impact on the media and/or the public?

9.2 Are the interests of fathers taken into account in any other way?

Although women's groups have been active for many years in Ireland, and have influenced many changes in public policy and legislation, men's groups are only beginning to emerge. These include groups such as "Parental Equality", which campaigns for greater rights for fathers within the Social Welfare System and the legal system in general. Such groups have not yet tended to have a major impact on the media or on public opinion. X]

III. POLICY MEASURES

11. Paternity/parental leave systems

Apart from maternity leave, there is no specific legal entitlement to paternity or parental leave. X

It has been found, however, that many fathers take some form of break from work on the birth of a child. A sample survey in one maternity hospital found that 51% of fathers took holiday leave, 3% had official paternity leave and a further 12% obtained compassionate leave. The average duration of time off was 1.4 weeks.

In relation to plans to introduce paternity/parental leave, following failure by the 12 EU Member States to reach agreement on the proposed EU Directive on Parental Leave, the Commissioner for Social Affairs has signalled the Commission's intention to take an initiative in this area under the Maastricht Treaty Agreement on Social Policy. Parental and paternity leave entitlements will be considered in this context.

12. Economic measures which affect fathers

12.1 Within your country's system of family benefits, taxation, social housing and other economic measures, are there any stated objectives which may affect fathers specifically? How is entitlement to rights established? Who receives the benefits?

Family Benefits : Child Benefit (a universal payment in respect of children) is generally paid to the mother; it would generally only be payable to the father if the child lives with the father and not with the mother. Prior to 1974 Child Benefit was paid to the father; the change to payment to the mother was in response to public pressure. There is popular support for its payment to the mother : one independent researcher has pointed out that it is seen as "effective in meeting the needs of children and as an important independent source of income for women working in the home".

Family Income Supplement (a weekly payment for families at work on low pay) is paid to whichever parent is in employment.

Income Tax : There are no general tax allowances in respect of children, but there are child related tax exemption limits for the low paid. Married couples incomes are aggregated for tax purposes. Married couples tax allowances can be split between the couple in whatever way they wish; no particular distinction is made between the mother and the father.

13. Measures to protect the child's relationship with the father

Where disputes arise between spouses about issues such as custody and access to children a court may take orders in relation to the custody of a child, the right of access to a child by a father or mother or the handing over of a child. In considering such issues the court is obliged to regard the welfare of the child as the first and paramount consideration.