



Submission to the review of provisions relating to family in Bunreacht na hÉireann by the All Party Oireachtas Committee on the Constitution

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Policy Position Paper Number Two – Recognising the realities of the diversity of family life in Ireland

Background

Progressing the work of Cherish, established in 1972, One Family provides voice, support and action for one-parent families through membership, professional services and campaigning. Our aim is to affect positive change and achieve equality and social inclusion for all one-parent families in Ireland.

We work to achieve our aims through

Voice we are the national membership organisation of one-parent families, supporting organisations and others concerned with the issues facing one-parent families.

Support we offer a comprehensive range of professional services to one-parent families, to those experiencing a crisis pregnancy and to those working with one-parent families.

Action we campaign with and on behalf of our members to affect positive change for one-parent families.

One Family works with all types and all members of one-parent families, respecting the realities of family life in Ireland.

During the implementation period of the One Family *Strategic Plan 2004-2006*, the organisation's campaigning work will concentrate on 8 strategic goals:

1. Working for a constitution which affords equal rights to all families
2. Recognising the realities of the diversity of family life in Ireland
3. Ensuring equality of access and opportunity in education for one-parent families
4. Working for a positive work life balance for one-parent families
5. Striving for equality for one-parent families in all housing tenures
6. Championing quality childcare for children in one-parent families
7. Campaigning for access to an adequate income for all one-parent families
8. Working for equitable services in all pregnancies

What is family diversity?

Family diversity can be understood to describe the range of varying family structures and types as well as the varying situations in which families live in modern society. The term is indicative of the changing nature of family structure and family life particularly in western economies and welfare states.

Most state's demographic profiles have been characterised by decreasing marriage rates and changes in the age profile of partners on marriage, increasing patterns of extra-marital cohabitation as well as increasing rates of extra marital births and increases in marital and relationship breakdown.

Family diversity is not an exclusive term and can describe the changing patterns of family formation as well as a range of situations in which families live, including families who live in intergenerational or solo parent headed households.

Family change in Ireland

Ireland is no different to a range of other western countries in the changing profile of family life and formation in recent years. Ireland's demographic profile has begun to mirror those of other countries. This is particularly evident in relation to increasing occurrences of extra-marital cohabitation and extra-martial births and increasing marital and relationship breakdown, reflected in the increasing number of one-parent families in Ireland in recent years.

Ireland's demographic and family change can be characterised by a move from traditional patterns of family formation and change to an increasing tendency towards diversity in both the formation and change of family forms. Traditionally, Irish families were regarded as homogenous, with low recorded levels of diversity. Families generally formed on marriage with little recorded levels of extra-marital birth or cohabitation. Changes in family life were traditionally isolated to instances of the death of a spouse and the widowhood of the remaining spouse and recorded levels of marital separation were low (Fahey & Russell: 2001, Kennedy:2004).

In the mid 1900s family life started to see its biggest changes, perhaps also correlated with changes in the demographic profile in general, particularly given patterns of outward migration which characterised this period. The younger age profile of emigrants often resulted in a reduction in marriages in those of the corresponding age group. Extra-marital cohabitation and

particularly extra-marital births started to become evident in the mid to late 1900s and continued to increase towards the end of the century. In 1972, when Cherish was established, the extra-marital birth rate stood at 3% , today it represents over 30% of all births (CSO: 2004a).

Recent years have also seen a decrease in the overall marriage rate although this has peaked at particular times but seems to be slowing down in general. It could be argued that people are postponing marriage rather than choosing not to marry at all, using cohabitation as a pre-cursor to marriage. However, comprehensive statistics on cohabitation would be needed to test this point accurately (Fahey & Russell: 2001, Kennedy: 2004, CSO:2004).

Marital and relationship separation rates have also continued to rise and are expected to continue to do so given the recent introduction of divorce into Irish legislation in 1995.

Family diversity and one-parent families

As seen above traditional patterns of family formation in Ireland have begun to change and nowhere is this more evident than in the analysis of the changing profile of one-parent families in Ireland.

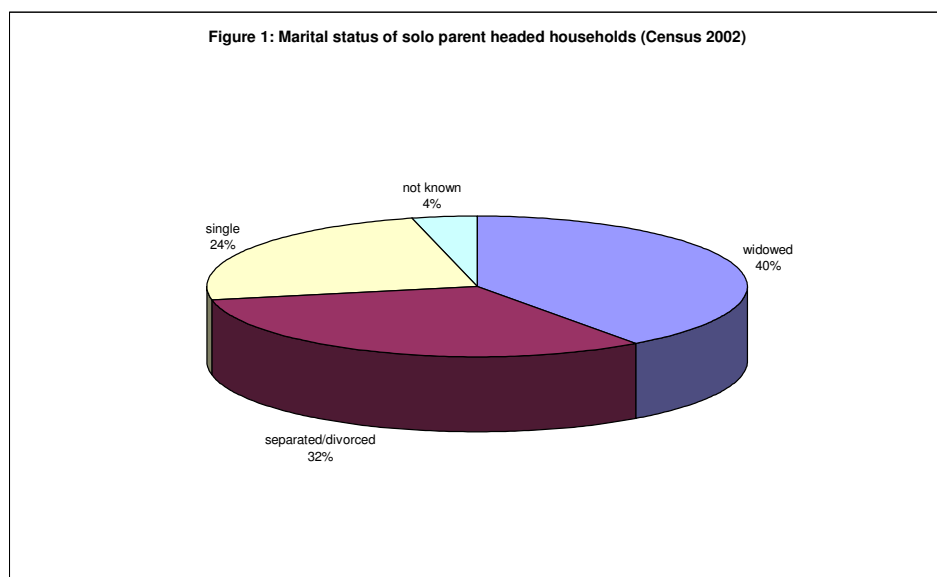
Family diversity is a useful concept to bear in mind not only when looking at changes in traditional family types but also in identifying changes in the one-parent family. “A child born in Ireland in 1900 was just as likely to spend some of his or her childhood in a household lacking a parent as a child born today – and the risk of such an experience for children was likely to have been much greater the further back in time one goes” (Fahey & Russell, 2001: 22). This point notes that one-parent families in Ireland are by no means a new family type. However, predominantly a widowed spouse, usually female, has headed the one-parent family given the traditional patterns of younger female marital age and higher mortality among men in particular age categories. The point that Fahey & Russell are making is that we have traditionally always had one-parent families in Irish society, due to high incidences of widowhood. However, changes in marriage and extra-marital birth rates, particularly from the 1960s and changes in attitudes towards marital breakdown and single parenting have dramatically changed the profile of one-parent families.

The one-parent family is now a diverse family type and is also increasing as a proportion of Irish families. Between 1991 and 2002 alone there has been a 75% increase in the number of one-parent families enumerated in the Census. Census 2002 indicates that there are 153,900 solo parent headed households in Ireland, representing over 12% of households. These figures indicate that 11% of the population live in a one-parent family (CSO:2004b).

Routes into solo parenthood

As noted above, the traditional route into solo parenthood was predominantly and almost exclusively resultant of the death of a spouse, as traditional and widely held Roman Catholic values would not have been supportive of extra or non-marital parenthood or marital separation. With dilution of these values and particularly with the liberation in moral and sexual values of the 1960s and 1970s in Western societies, both extra marital birth rates and marital separation increased. Single women who became pregnant outside of marriage also started to consider keeping their child rather than the traditional routes of outward adoption or marriage which had been considered the only options until then.

Thus, one-parent families started to diversify and have continued to do so. As evident from figure one, Census 2002 indicates that 40% of solo parent headed households are headed by widowed persons, 32% by separated or divorced persons and 24% by single (never-married) persons. There are also variations in these types of one-parent families when correlated with age in that younger parents (particularly under 20) heading one-parent families are also more likely to be never-married, whereas widowed and divorced and separated persons tend to be in the older age groups (CSO:2004b).



Size of one-parent family units

Diversity in the size of family units among one-parent families is also linked to the status of the head of household. Single parents tend to form smaller families and have a reduced fertility rate in comparison with other solo parents. As Fahey & Russell suggest : “...having a birth outside of marriage and entering lone parenthood leads to lower fertility than would be the case if the women involved had married or formed a long-term cohabiting relationship” (2001: 38).

Gender and one-parent families

Official statistics also lead us to believe that the gender differential in one-parent families is still significant although it may be decreasing. Given the changing entry routes into solo parenthood there are an increasing number of one-parent families now headed by males. Census 2002 figures show that 85% of one-parent families are headed by a female and 15% by a male. However, these figures may be a significant underestimation as official statistics do not measure the extent to which shared parenting in separate households is a feature of marital or relationship separation in Ireland today, which would greatly boost the numbers of males parenting in one-parent families. We will turn to this issue again.

Ethnic origin of solo parents

Recent years have also seen an increase in diversity of ethnic origin of solo parents with an increase in the number of one-parent families headed by a parent whose nationality is not Irish. However, there is a dearth of accurate information on the ethnic origin of one-parent families. Anecdotal evidence from services supports the view that there are an increasing number of female headed one-parent families which may have been created either by the asylum process and the separation of families or by the birth of an Irish-born child to a non-Irish single mother. Research conducted by One Family in 2004 gives further information on this aspect of diversity (One Family:2004).

Family policy & family support for one-parent families – issues to consider

We therefore know that there are an increasing number of one-parent families in Ireland today and that these families are diverse in their size, the age at which the parent formed the family, the route of entry into solo parenthood and the gender of solo parent head of the household.

We also know that one-parent families now make up at least 12% of Irish households. This is a very significant minority in modern Irish society. However, in a range of other statistics and indicators one-parent families make up a significant majority and unfortunately most of these figures are negative indicators relating to socio-economic difficulties challenging the full social inclusion of at least 11% of the Irish population.

One-parent families and poverty

One-parent families face a significantly higher risk and rate of poverty than their two-parent counterparts and the overall population. The EU Survey on Income and Living Conditions released in January 2005 indicates that 33% of one-parent families live in consistent poverty in comparison with 9% of the population overall. Moreover, 42% are at risk of poverty in comparison with 23% of the overall population. One-parent families also had the highest levels on each of the eight deprivation indicators used in the survey. These include the findings that 33% could not afford new clothes, 31% experienced debt from ordinary living expenses and 24% stated that they went without heating at some stage in the preceding 12 months.

Welfare dependency and poverty

There are a range of factors which contribute to the higher incidence and risk of poverty among one-parent families. These include high dependency rates on social assistance as the primary source of income. In 2003, One Family estimated that over 50% of the one-parent families in the State were in receipt of the One Parent Family Payment (OPFP). Conditions of the OPFP stipulate that any additional income will be assessed against entitlement to the payment in excess of €146.50 per week. This level has not increased since 1993, despite increases in the average industrial wage, the introduction of the minimum wage and significant increases in the cost of living, especially regarding housing costs. Of particular relevance in this case is the escalating cost of childcare for pre-school age children. It is therefore increasingly difficult for one-parent families in receipt of OPFP to make the transition fully from welfare to work due to the interaction of earned and benefit income.

One-parent families and the labour market

The employment participation rates of solo parents are therefore low, particularly among those with young children. Contributory factors not only include the aforementioned interaction of earned and benefit income but also relate to the inflexibility of traditional Irish working arrangements and the

lack of availability of part-time or flexible employment which will provide sufficient income to offset high childcare costs and loss of benefits.

According to the 2002 Census there were 59,075 solo parents who described their principal economic status as being at work. Of these 11,522 (20%) were men and 47,553 (80%) were women.

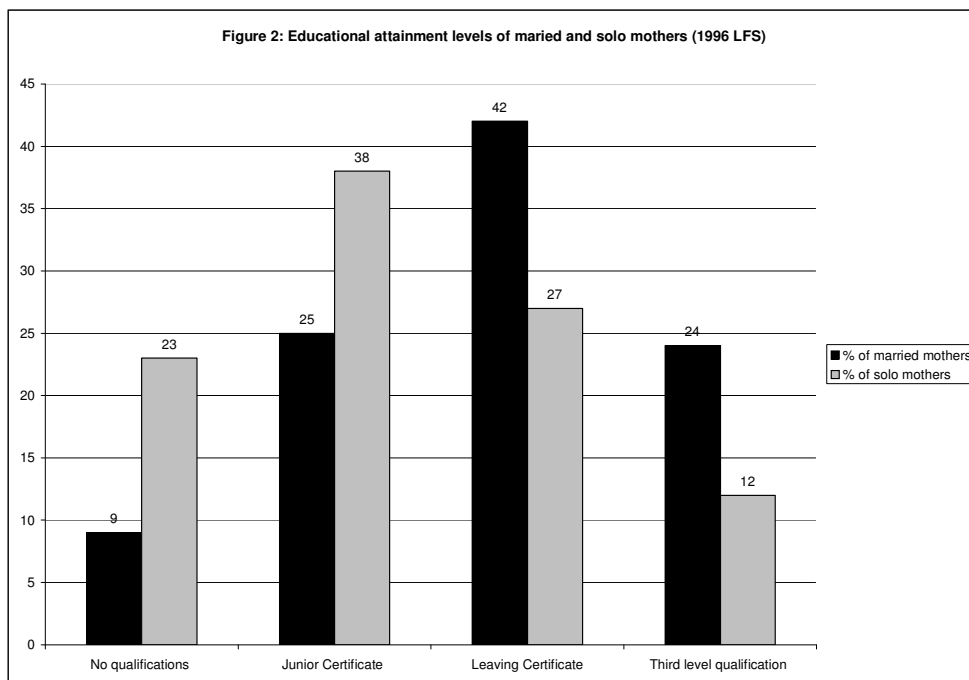
Data from the 2001 Living in Ireland Survey suggests that households headed by a person who works full time in the home are at the greatest risk of poverty compared to households that are headed by a person that is in employment (including self employment), sick/disabled or unemployed.

Solo parents and access to education

Also related to high poverty and low employment rates are the low educational attainment rates of solo parents. Access to education and training for parents in a one-parent family varies depending on several factors. These include the age of the parent, how long they have been out of the education system and their current level of accredited education (NESF:2001).

According to the 2002 Census of a total of 350,774 people over 15 who were students only 0.5% (1,867) were solo parents in full-time education. The NESF (2001) found 38,642 solo parents in participation in mainstream education and training programmes, which included vocational and skills training provided by FAS.

Solo parents are often characterised as having low educational attainment levels in comparison with married parents. The NESF (2001), drawing on the 1996 Labour Force Survey estimated that solo mothers in particular are “more than twice as likely as their married counterparts to have no qualifications” (NESF, 2001: 65). As figure two shows, 23% of solo mothers have no formal qualifications in comparison with 9% of married mothers. 38% of solo mothers attained only a junior certificate or equivalent level compared with 25% of married mothers. The highest educational level attained by 27% of solo mothers was a leaving certificate or equivalent compared with 42% of married mothers while only 12% of solo mothers attained a third level qualification compared with 24% of married mothers.



Law, policy, services and the definition of the family

To date, family law, family policy and the design and delivery of family support services have all tended to focus on the family as a homogenous type, based on a single household unit of two, predominantly marital, parents and their children. The constitution itself notes that the family is founded on marriage and so legal protection for other family forms is not currently available. Family law, as a consequence, tends to be biased towards what are considered to be the more stable relationships of two-parent families. Family law as a result often proves reactionary in its response to one-parent families or when one-parent families are forming through the dissolution of a previous union.

Family policy has tended to focus primarily on the marital family as the norm and has turned its attention to diverse forms, including one-parent families, as anomalies which require separate provision. What would be preferable would be to than work from the principles of equality and family diversity, allowing for a diverse model and appreciation of family life to influence future policy.

Family support services also may be characterised as having a problematic and fixative approach to one-parent families in many cases. Many one-parent families interact with family support services due to the pressures of solo parenting without adequate supports. Due to the absence of greater supports

to enhance solo parenting one-parent families are increasingly regarded as requiring the assistance of formal support services which may envisage two-parent families as the ideal type without any definitive research data to indicate the optimal family conditions for child well-being.

Recognising the realities of the diversity of family life in Ireland – recommendations for change

If we are to progress towards a society and its legal, administrative and service provision framework which respects all forms of family life as equal to one another and appreciates the validity of that diversity then there are a number of steps which must be taken. Moving from the current position to one which will accept diversity will require a mind and policy shift of a significant degree.

A position of acceptance of diversity will result in legal, administrative and service provision frameworks which will appreciate the differing levels of need of each diverse group and will focus on delivery of mechanisms and services which will endeavour to meet each need. A family diversity approach would fully recognise the inequality of the position of many one-parent families and would provide a framework for service, policy and legal provision which would seek to address that inequality in a way which respects the validity of the one-parent family and seeks to support it.

An inclusive definition of family life

Firstly, the current working definition of family in Irish law, policy and services must be changed from one based on a single family type exclusively to one which appreciates diversity. In order to do so, Constitutional reform in relation to the provision for family in Bunreacht na hEireann is required. For further details please see One Family's policy position paper "*Working for a constitution which affords equal rights to all families*". As the superior source of domestic law, the Constitution embodies the rights and responsibilities of Irish citizens and also holds our aspirations as a nation. If it continues to include a preference for a single family type then a full appreciation of the value of diversity will not be possible.

A comprehensive understanding of diverse families and family life

In order to fully comprehend the nature of the changing profile of family life in Ireland it is essential to amend and perfect our methods of data collection on family life to fully assess not only the levels of diversity but also the needs of diverse families towards full equality.

Particularly in relation to one-parent families, data collection and data gaps hamper a full understanding of the level and diversity of one-parent families. Current methods such as the household enumeration models of the Census and other studies exclude an understanding of the extent to which relationship or marital separation can lead to the formation of two one-parent families and the extent to which non-resident parents continue to maintain a full parenting role with their children. Without this understanding we will not know how best to serve the needs of children in one-parent families in Ireland.

As recommended to the Central Statistics Office in relation to the next Census of Population, One Family proposes that the incidence of intergenerational households and the extent to which several families may inhabit a single household be explored fully and represented statistically. The forthcoming Longitudinal Study of Children must also involve a representative number of children from diverse families and must also look at the nature of the relationship between family structure, well-being and social inclusion.

One Family recommends that a comprehensive study of one-parent families be commissioned with the full weight of Government support to fully understand the nature and needs of a significant number of families in Ireland today. This examination would be underpinned by the principles of equality and diversity and the results should be utilised towards supporting the full social inclusion of one-parent families as valid family forms.

A work-life balance for all families

The nature of participation in the labour market requires radical change if we are to support parenting and childhood in Ireland. In order to strike a balance between work and other areas of life, including family life, a shift is required in how we envisage the workplace and the role of workers within it. Work-life balance can only be achieved if parents are supported to fully participate to the best of their ability without constraint. This will lead us to move towards flexible work patterns and a less static definition of the workplace to include an emphasis on alternative working methods including such as home and teleworking as realistic options.

Respecting diversity in family life

Services require a shift from “fixing” non-traditional family forms to one which recognises and celebrates their diversity and supports the full inclusion of the family, regardless of its structure. Changes in family support services will be central to this goal.

Family support should at all times be concerned with the needs and circumstances of a particular family and how best to meet those needs with respect for the family type and situation and the needs of individual members as well as the family as a unit. If we continue to have a policy, legal and service model which has a definitive ideal of the ways families “should” look then all other family types will appear as an anomaly. It is therefore necessary that family diversity become a working principle in the fields of law, policy and service provision to ensure that all families are treated equally and derive equal benefit from their interactions with them.

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One Family is a member of the Family Diversity Initiative (FDI). The FDI is a coalition of organisations working with and representing the interests of diverse families in Ireland. This coalition recognises that the family exists in different structures and circumstances and challenges discrimination. Our vision is to achieve an Ireland in which people define their own families and which all these families are treated equally. Our mission is to promote equality, acceptance and understanding in Ireland for all families.

For further information visit www.familydiversity.ie