

Press Release

17<sup>th</sup> July 2018

### **Children & Family Relationship Amendment Bill Passes both Houses of Oireachtas**

LGBT Ireland (today) welcomed the passing by the Senead of the Children and Family Relationships (Amendment) Bill 2018 after it passed through the Dail last week. This will facilitate the commencement of Parts 2 & 3 of the 2015 Act.

The Children and Family Relationships Act 2015 was enacted to modernise family law in a way that is inclusive of the realities of contemporary family life in Ireland. Parts 2 & 3 of the Act, which are the responsibility of the Minister for Health, are key elements of the Act concerned with the rights of children conceived through the use of donor gametes.

These rights are provided for in Parts 2 & 3 of the Act by:

- clarifying the legal parentage of donor conceived children in clinical settings as a result of DAHR procedures.
- ensuring that all parties to a donor-assisted human reproduction procedure have provided their consent and are aware of their rights and responsibilities.
- and by vindicating the donor-conceived child's right in accordance with the UN Convention on the Rights of the Child to know his or her genetic identity.

The Act will provide for the Retrospective Declarations of Parentage in relation to a child born in Ireland as a result of DAHR procedures performed both in and outside the State prior to the commencement of Parts 2 and 3 of the Act, subject to certain conditions.

According to the CEO of LGBT Ireland, Paula Fagan “ this legislation has been 3 years in coming and families have been very tuned in to its enactment as it will mean so much to so many. This will allow same sex female couples, who have a donor conceived child, to apply for a retrospective declaration of parentage. However, the commencement of Part 9 of the Act is necessary to enable both parents to register on their child's birth certificate and that responsibility lies with the Department of Social protection and LGBT Ireland is committed to working with Minister Doherty to have this part commenced after the Dail's summer recess.”

#### ***Progress Made but More to Do says LGBT Ireland:-***

LGBT Ireland highlighted that there is more to do in regard to same-sex families and LGBT rights:-

- Part 9 of the Act to be commenced by Department Social Affairs

- Training for State Registrars in Birth Certificates / parentage documentation / passports etc
- Assisted Human Reproduction Bill: - The Children and Family Relationships Act does not encompass surrogacy, provisions relating to the regulation of surrogacy are included in Part 6 of the General Scheme of the Assisted Human Reproduction Bill 2017.

The General Scheme is published on Department of Health's website and the Joint Committee on Health is currently conducting a review of the General Scheme of the Assisted Human Reproduction Bill 2017 as part of the pre-legislative scrutiny process.

- There are other parenting pathways that need to be addressed so that all families can be legislated for by the state, so that no children are left without legal protections and recognitions of their families.
- LGBT Ireland also asks that the Government roll out a comprehensive information campaign about the rights and responsibilities outlined in the act so all citizens have full understanding of the issues enacted and this information can act as an advisory source which will be very important for those planning parenting in the future.

**Ends**

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