



Equality for Children welcomes today's report from Special Rapporteur for Children, Dr. Conor O' Mahony, and are calling on the Government to adopt all of its recommendations without delay.

It was widely reported last week that a same-sex female couple from Cork become the first to both be registered, from birth, as their twin's legal parents. This was made possible by the commencement in May 2020 of the Children and Families Relationship Act which was passed into law in 2015.

However, the majority of LGBT+ headed families fall outside any legal framework, meaning that only one parent can be recognised as a legal parent. This impacts on the lives of children and their families in many ways including birth registration, citizenship provisions, childcare and/or educational provisions, social welfare and succession/inheritance. We are *#stillnotequal*.

Today's launch of the Government commissioned report on the children's rights and best interests in the context of assisted human reproduction from Special Rapporteur, Dr. Conor O' Mahony, is a welcome step in addressing the many gaps in legislation that prevent children of LGBT+ families from having a legal parent-child relationship with both their parents, who love and care for them on a daily basis.

The Special Rapporteur for Children, aligns the report recommendations with the **UN Special Rapporteur, the European Convention of Human Rights (ECHR) and the Convention of the Rights of the Child (CRC)** and notes that **Ireland is legally obliged to comply** with at least the minimum obligation of the in Article 8 of the ECHR which requires "States Parties to allow for the possibility of domestic recognition of parent-child relationships arising from international surrogacy arrangements at a minimum in all cases involving a genetic link between the child and the parents".

The report rightfully places the child's rights and best interests at the centre of how legislation should be constructed and recommends large scale updates to the Assisted Human Reproduction (AHR) Bill as well as amendments to the Children and Family Relationships Act (CFRA), 2015.

The report highlights the need to provide comprehensive legislation on including a framework for surrogacy in Ireland, recognition of international surrogacy, and crucially, to address the gaps of both the CFRA 2015 and the drafted AHR Bill by including children already born through surrogacy, children conceived using a known donor and children conceived outside of clinical settings.

The report acknowledges the distress caused to children born through assisted human reproduction and their families with the absence of appropriate legislation "**Children have been left in vulnerable legal positions for lengthy periods of time due to the failure of the Oireachtas to legislate to address their status**".

Significantly, the **report recognises the uneven impact the CFRA has had on children conceived outside of clinical settings and born to LGBT+ parents** who cannot rely on the presumption of paternity/maternity that male-female couples can by highlighting "the discriminatory position that arises whereby some second parents of children born following non-clinical procedures would be recognised as parents, while others would not."

The report calls for the Government to "amend the Children and Family Relationships Act 2015 to address a number of anomalies arising in respect of the recognition of family relationships in DAHR procedures,

and enact comprehensive legislation regulating surrogacy at the earliest opportunity”

Equality for Children are calling on the Government to amend the Children and Family Relationships Act and redraft the Assisted Human Reproduction Bill to adopt all of its recommendations with immediate effect.

Ranae von Meding, CEO of Equality for Children says, *“Today’s launch represents another crucial step forward in our campaign. By adopting all of the recommendations in Dr. O’ Mahony’s report, thousands of children in Ireland will finally be able to have a legal parent-child relationship with both of their parents, something that has been denied to them to date. This includes children born to gay dads through surrogacy, children conceived using known donors and those conceived outside of clinical settings left behind in the Children and Family Relationships Act, 2015”.*

“Significantly, the report recognises the uneven impact the CFRA has had on children conceived outside of clinical settings and born to LGBT+ parents who cannot rely on the presumption of paternity/maternity as male-female couples can. This very principle has been a significant pillar of our campaign at Equality for Children as it has effectively resulted in children of LGBT+ parents being discriminated against based on the sexual orientation of their parents.”

“We urge the Government to act swiftly and adopt all of these recommendations into legislation governing assisted human reproduction. It is almost 6 years since our country voted for marriage equality. We are still waiting for the legislation that will allow the children of LGBT+ parents to be treated equally. It is not equality until it includes everyone.”

“As it stands currently , in the vast majority of LGBT+ families only one parent can be a legal parent. This must change.. It’s not equal and it’s not what we voted for,” Ranae commented.

Equality for Children, a grassroots campaign launched in October 2019, campaigns for equality for all children of LGBT+ families in Ireland. It was started by a collective of concerned parents and allies, who were tired of waiting for their children to be given the legal equality that they deserve.

The campaign has garnered support from across and beyond the LGBT+ community. EFC volunteers work on areas such as; social media, fundraising, lobbying, artwork, legal support etc. The Equality For Children campaign is asking people to support them via volunteering and/or donations, to enable the fight for full equality.

‘Equality for Children’ can be found at [@equalityforchildren](https://twitter.com/equalityforchildren) and at www.equalityforchildren.ie.

Interview and PR/quote enquiries to lucy@artisyn.ie or ranae@equalityforchildren.ie

The Special Rapporteur’s report can be found [here](#).

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