

What happens if children are left here by their parents?

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THE Government will have to take responsibility for Irish-born children whose parents do not take them with them when deported, it was claimed last night.

Answers were demanded last night of the Department of Justice as to what will happen to these children whose parents are faced with deportation.

Would they be left behind without their parents or exiled with them, despite being Irish citizens?

Raymond Dooley, chief executive of the Children's Rights Alliance, called on the Government to outline the preparations made and resources allocated to provide for the care of children left behind.

He said: "While the cases have been before the courts, the Government has declined to answer questions about what will happen to the children.

"Now that the matter has gone back to the executive arena, the Government must provide those answers and must do so before any deportations take place."

He also asked the Government how consular offices could ensure that the children would be able to realise their rights to a proper education, health care and be protected from abuses and breaches of human rights.

Mr Dooley said: "What will happen to the children if their parent or parents are placed in prison following deportation?"

"The answers to these questions are critically important to thousands of Irish children who could soon find themselves separated from their parents or forced into effective exile."

Director of the Legal Aid Board Frank Brady, who was representing the two families in court yesterday, said it was important to note that the decision related only to those two families.

He said: "It would be important to clarify the situation for people who had been in Ireland for a number of years.

"If the facts of their cases are similar to these two, then it is likely that they would face deportation.

"Our solicitors and barristers are studying the judgment in detail to see how others who are here longer might be affected."

Fine Gael's justice spokesperson John Deasy said that while the decision brought clarity to one issue, it would raise many other questions that would have to be addressed by the Government.

He said: "Some key questions to be answered are what will happen to the thousands of outstanding applications for residency and what will happen if parents decide not to bring their children with them."

Labour spokesman Joe Costello warned the Government to study the judgment carefully before making any rash decisions.

He said it was going to affect thousands of children, many of whom had their roots in this country and were settled into schools and communities here.

He called for a full-scale debate in the Dail next week before any decision was made on how the ruling would be interpreted for other cases.

And a decision needed to be made about who would care for the children if they remained in the country without their parents.

He said: "The Government now has no excuse for not bringing legislation forward.

"Regulations and guidelines have to be laid down to ensure that there is clarity on what rights these children actually have as Irish citizens. But this all needs to be preceded by an open debate in the Oireachtas."

Mr Costello added that the Government must respond to cases arising out of the judgment on their individual merits, taking account of humanitarian considerations and the constitutional recognition given to the family as the "natural, primary and fundamental unit of society."

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