

More than 2,000 children put in care by courts - Report
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In its second review of family law, the Courts Service reported there are 5,060 youngsters either fostered or in care homes around the country.

And kids living in the east of the county are more likely to end up in care than those in the west.

Some 2,175 children in care were put there by the courts, the rest are there voluntarily.

Judge Conal Gibbons, one of the judges who hears child care cases, said the children coming before the courts are extremely vulnerable.

“I describe these children as being on the edge; they are on the edge of society, on the edge of their families, on the edge of the care system and often on the edge of their lives,” she said.

“It just takes one little push to put them over the precipice.”

The 'Family Law Matters' report compiled by Dr Carol Coulter is the second in a series of studies aimed at shining a light on the previously private area of the courts.

It noted the main reasons children are in care: neglect 1,386; physical abuse, 290; sexual abuse, 159; emotional abuse, 147; and emotional and behavioural problems, 134.

It noted that mental health problems or intellectual disabilities account for 19 kids in care while nine had drugs or alcohol problems; eight had physical illness or disabilities seven fell pregnant and four were caught up in crime.

Of the 5,060 children in care only 442 are in residential care with the vast majority being in foster care and 32 cared for at home under supervision.

Chief Justice John L Murray praised the judges working in the difficult area of family law.

“Family law is one of the most difficult areas in which the courts have to function,” the judge said.

“Judges in family law courts regularly have to deal with intractable problems arising from human failings and weaknesses where there is no ideal solution - where there is the difficult search for the best solution in all the circumstances – and also even more difficult, often heartrending, cases where there is serious neglect or abuse of children.

“The dedication of judges sitting in family law courts in dealing with these intractable issues, should not be underestimated. It is essential that these courts have available all the professional assistance necessary to their work, particularly where the interests of children are at stake.”

Neglect - reason most children are taken into care

Monday, July 09, 2007

Neglect is one of major reasons why children in Ireland are placed in care.

A new report on family law proceedings has found that 60% of all children who were placed in care voluntarily, or by court order, had been neglected.

The report, undertaken by the Courts Service looks at childcare and welfare issues.

It reveals that the majority of children are placed either with other members of their own family or with a foster family.

Only 8% of children are in a residential home.

The new report also highlights the ways that Judges and legal professionals try to reach agreeable outcomes in such cases.

It found that only 10% of family law cases in Dublin went to a full hearing and 100% of cases in Cork were settled out of court.

Report author Dr. Carol Coulter says there is no generalised procedure here to deal with the viewpoint of the children involved.

14 family law cases resolved in one week

Monday, 9 July 2007 20:45

A report published today shows that efforts by the Courts Service to clear a backlog of family law cases in the Midlands resulted in 14 out of 29 cases being resolved within one week.

The information is contained in the second report by the specially appointed Family Law Reporter, Dr Carol Coulter.

In January of this year, Judge Con Murphy set aside five full days to deal with a backlog of 29 family law cases in the Midlands.

In her report published today, Dr Carol Coulter, who is permitted to attend family law cases, reports that Judge Murphy warned at the start of that week that cases not settled could be left 'meandering around forever'.

By the end of the five days, 14 of the 29 cases had been settled.

The Family Law Report also includes comments of a Judge who works on childcare cases at Dublin Metropolitan District Court, who warned that Ireland had a system not unlike the UK where social workers had impossibly large caseloads in a climate of scarce resources.

The report also found that of children in care, around 8% are in residential care and over 90% are living with other family members or foster parents. 57% of children in care are there voluntarily.

Study Reveals 90% of Divorces in Ireland End Amicably

February 21st, 2007 by [DWordDiva](#)

The perception that divorce in Ireland is characterised by bitter legal battles between former partners has been exposed as a myth after a study of family law cases found 90% of them end amicably.

The study showed nine out of 10 divorce and judicial separation cases which came before the Dublin Circuit Court last October were agreed by consent.

However, battles for custody of children and rows over the level of maintenance payments are the main source of disagreement for the 10% of cases which are hotly contested by former spouses.

Special provisions were made in the Civil Liability and Courts Act 2004 to lift the traditional “in camera” rule which prohibits the reporting of family law cases. It resulted in the Courts Service appointing Irish Times journalist Dr Carol Coulter to carry out a pilot study on the family courts.

Announcing the findings of her research yesterday, Dr Coulter said they could only be considered as offering a “snapshot” of trends, given the large number of such cases dealt with at district, circuit and High Court levels each year.

A total of 3,411 divorces were granted in 2005, the latest year for which statistics are available. It is the highest figure since divorce was legalised in the Republic in 1997. However, the total still indicates that less than one-in-seven marriages in Ireland results in divorce.

Dr Coulter said she was surprised at the high number of settlements reached entirely amicably as well as the speed with which some divorces were concluded.

In a large number of divorce cases, the courts only make blocking orders which extinguish the inheritance rights of both parties against the estate of each other.

In 11 contested cases involving children, joint custody was ordered in six cases with the mother being granted sole custody in two cases. The child’s wishes were only taken into account in one case.

Dr Coulter said the size of maintenance payment orders made by the Dublin Circuit Court varied widely, although most were between €100 and €150 per week for each child. Orders to pay maintenance to a former partner are very rare as the transfer of the other partner’s interest in the family home is often accepted in lieu. The family home was transferred to the wife in 26 of 43 cases where it was an issue in return for payments ranging from €20,000 to €320,000. There was an agreement to sell the property in 10 cases with the proceeds divided in various ratios. Dr Coulter pointed out that contested divorce cases normally hinged on only one issue of disagreement between a former husband and wife.

Although the average cost of a divorce reached by consent is €6,000-€10,000, some lawyers charge up to €20,000. A Court Service spokesperson said there were also DIY divorce companies which charge up to €1,000 for advice which was provided free by the courts.

Two thousand-plus children put in care by courts

Full Story

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