

Statement by Dr Salome Mbugua, CEO AkiDwA to the Working group of experts on people of African Descent: 30th Session on “*Existential threat to the Black family: racialised interpretations of the best interest of the child*”

Introduction:

Akina dada wa Africa—AkiDwA (Swahili for sisterhood) was established in 2001 by a group of African women as a support group for migrant women experiencing racism, isolation & gender-based violence in Ireland at that time. Our organisation welcomes this opportunity to present to the committee and would like to thank you for choosing this critical and important theme for discussion.

The history of people of African descent in Ireland can be traced back as late as the 1700s. As reported by Deirdre Finnerty of BCC news (December, 2020) the mid 20th Century saw thousands of students travelling from African countries to study at Irish universities. Some had children outside marriage leading to thousands of black and mixed-race children being born in Ireland during the 1950s and 60s. At the time these children were often placed in Ireland's notorious mother and baby homes. Today these children, now adults, are searching for their families. The voices and visibility of mixed-race people of African descent are only recently being uncovered by organisations such as the Association of Mixed-Race Irish

Ireland in the last 30 years has seen a huge influx of inward migration. According to the last Census conducted in Ireland in 2016, there are 57,850 people living in Ireland that identify as people of African descent (1.4 % of the Irish population). Some have citizenship while others hold varying immigration statuses which include, refugees, asylum seekers, students, religious, migrant workers, spouses of Irish or EU citizens or victims of trafficking.

People of African descent in Ireland face many challenges. The 2018 Monitoring Report on Integration shows that the employment rate of Africans is only 45% compared to an average of 70% for other minority nationality groups. The employment of African women is 38%, 17% below the average female employment rate in Ireland¹. In healthcare, people of African descent experience greater difficulty in accessing appropriate services and have worse health outcomes. For example, women of African descent are more likely to suffer maternal deaths and complications during childbirth. Racism and discrimination are evident at community , professional and institutional levels.

A large number of Africans have gone through the Direct Provision system while seeking international protection, spending up to 6-8 years in limbo whilst waiting for their applications to be processed. This has shown to have devastating effects on their mental health and wellbeing. Bringing up children in these institutions has the worst effect on African children and families.

¹ 31 F. McGinnity, É. Fahey, E. Quinn, S. Arnold, B. Maître and P. O’Connell (2018), Monitoring Report on Integration 2018

Overrepresentation of African Families in Childcare Courts

In 2013, the Child Law Reporting Project highlighted that whilst Africans formed less than 1% of the Irish population, “ *African families are 20 times more likely to find themselves in the child care courts than other members of Irish society*” – CCLRP, 2013, p.20

Ireland ratified the Children’s Rights Convention in September 1992 and has been examined under the Convention in 1998, 2006 and 2016. Article 3 of the UNCRC states that the removal of a child from familial environment should be a measure of last resort, and, if they are removed, the reunification of the family must generally continue to be under active consideration.

In November 2015 the Children First Act 2015 was enacted and serves as a guideline for the protection and welfare of children. The overall aim in all dealings with children and their families is to intervene appropriately to support families to keep children safe from harm. Any interventions by the state should aim to build on the existing strengths of the family. Early intervention is key to getting better outcomes. Where it is necessary for the state to intervene to keep children safe, minimum necessary intervention should be used and children should only be separated from parents/guardians when alternative means of protecting them have been exhausted.

The particular way in which African parents rear a child ensures that the child will imbibe the cultural values of their native land and also grow to be a responsible adult. This is done through the mother’s care, the support of the extended family, traditional rites, attention and love. The substantial involvement of the extended family, which sometimes includes neighbours, in child-rearing helps to develop a strong sense of social responsibility in the child from their early years and teaches them to be a respectful, responsible and supportive member of the extended family and by extension, of society.

Some of the reasons given for the high rates of African children taken into state care in Ireland include neglect, physical chastisement, and mental health. The majority of these cases are lone mother families who lack the support and sense of community that they would have experienced in their homelands when raising a child. By virtue of their own upbringing and cultural parenting practices, migrant African parents often do not have the parenting skills or resources that are considered in line with the standard set by the Irish legal system. Additionally appearing before the childcare court becomes a new and stressful trend out of their cultural norm. They lack accessible and appropriate information on children and families and are barely aware of the law in Ireland on children and child protection. Quite often they find themselves in Irish childcare courts without legal representation or the appropriate knowledge on how to navigate the system or access information on the rights of parents in the court system. Some encounter challenges in accessing visits to their children who have been taken into care. This leads to a cultural shock which is exacerbated by the lack of an extended family, information and support structures for these migrant parents.

Conclusion

Ireland must acknowledge and recognize the vast cultural diversity that exists today and consequently the different culturally-based child-rearing standards. Based on AkiDwA’s work with African parents, mainly mothers, in this area we can argue that childcare as evaluated under the Irish Childcare Protection Guidelines reflects the mainstream cultural norms of good parenting and family functioning in Ireland. On the other hand, for example, leaving children with neighbours or siblings is termed as neglect, and difference in physical care and tone of

voice used by the African parent towards their children and while representing themselves may sound harsh among white professionals and frontline services, yet to them it is the norm.

The current assessments used by social workers and child protection services are inadequate in their 'one size fits all' approach. There is a need for a multidimensional and culturally sensitive approach which acknowledges the different parenting styles of the various minority groups in Ireland. Furthermore, there is a current lack of culturally competent professionals and service providers in this area who can often make drastic, life-altering decisions on behalf of children based on their own biased and ethnocentrism. Training should be provided in cultural awareness to members of child protection services, police and any professionals practising family law. There is also a lack of diversity in the foster care system in Ireland—it should be endeavoured that any child taken into state care should be placed in an environment of similar cultural understanding and background to that of the child/birth parent. There is of course also the issue of the blatant power structures in court jurisdictions which may prevent migrant parents from fully exercising their rights.

Ireland of the 21st Century will inevitably be judged by its treatment of children of African descent which has resulted to-

- Racialized trauma
- Poverty
- Systemic Racism-
- Intergenerational trauma
- Labelling of african youth as black gangs
- Racial profiling