

S.N. Iorball Sionnaigh

Polasaí Scoile

Child Custody and Access

- (1) The principal or class teacher has no basis for denying either parent or guardian the right to collect his/her child from school unless there is a court Order instructing the school otherwise.
- (2) A solicitor's letter to this effect is insufficient as it has no legal imperative. Anyone can ask a solicitor to write a letter on his/her behalf.
- (3) The principal shall inform the parent/guardian who requests denial of access to the other partner, of the school's inability to pass judgement on rights of access and/or collection.
- (4) If there is an expressed serious concern regarding abduction or leaving the jurisdiction with the child, then the principal shall suggest to the parent/guardian that he/she should request his/her solicitor to seek a Court Order instructing the school and any other carers of the child re. right of access/collection etc.
- (5) The school will offer maximum co-operation and support to the concerned parent/guardian in the following way.
 - a) The principal will assure the concerned parent/guardian that maximum awareness and attention will be given by him/her, by the class teacher and others in the school who are involved in the care of the child with respect to all aspects of parent/school communication and collection of children.

- b) In the case where the estranged parent/guardian is not known to the principal or class teacher, the concerned parent/guardian would provide a 'family' photograph enabling the teacher to identify the person in question.
- c) The class teacher or principal will inform the concerned parent/guardian immediately if the other partner contacts, calls to, or seeks to collect the child from the school.

These practical measures can in no way deny either parent/guardian access to their child but are based on basic humanitarian support for a distressed parent/guardian.

Ultimately only a Court Order can change the existing rights of both parents/guardians.