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## **GUIDELINES FOR THE PREVENTION OF CHILD ABDUCTION**

The information in this document is to help you gather together crucial information relating to your child(ren) which will be required in case of abduction.

Some of this information will be required by the Gardai so that details of your child(ren) can be issued in order to prevent their leaving the country without your permission and/or return them to you.

Some of the information may be required by others, such as your solicitor, the Central Authority or the Department of Foreign Affairs so that they can help recover the child(ren).

Please read this document carefully and if you are in doubt about any aspect of the advice, please ask your legal adviser or ICPAC for help.

The pack has been drawn up by ICPAC, based on a model provided by Reunite – International Child Abduction Centre, and with the help of An Garda Síochána, the Central Authority for Child Abduction of the Department of Justice and Law Reform, the Consular Section of the Department of Foreign Affairs, and the Passport Office.

## **WHAT YOU MUST DO IF YOU THINK THERE IS A RISK OF ABDUCTION**

As soon as possible

***For EACH child in your family you think is at risk of abduction:***

1. Print off the pages on pages 8-11 of this document.
2. Complete the description form and make two photocopies of it.
3. Take at least three photographs of the child or children you consider at risk of abduction. (Passport size is ideal, preferably in colour. Many pharmacists and camera shops provide this service; you may otherwise use a photo booth).
4. Write on the back of the photographs the name and date of birth of the child concerned, and the date the photo was taken.
5. Make two photocopies of the child's birth certificate.
6. Make two photocopies of any court order relating to the child.
7. Get a sample of hair using the guidance on page 7.

***For EVERY PERSON you think might be a future abductor:***

1. Complete the description form and make two photocopies of it.
2. Try to get a photograph of the person.
3. Write on the back of the photograph the name and date of birth of the likely abductor and the date the photo was taken. If the photograph is of a group of people, write on the back the location in the group of the subject (s) e.g. third from left, back row.

***In relation to YOURSELF:***

1. Complete the details form and make two photocopies of it.
2. If you are, or have been, married to the likely abductor, make two photocopies of the marriage certificate.
3. If there is in existence a court order relating to divorce or separation or a written separation agreement between you and the likely abductor, make two photocopies of it.

Make up three sets as follows:

Set 1: For the GARDAI: One set of photographs and one set of photocopies of the descriptions, details, birth and marriage certificates and any court orders.

Set 2: For your SOLICITOR: as above.

Set 3: The ORIGINALS: The above plus any fingerprints or hair sample and this document.

**YOU MUST THEN IDENTIFY A SOLICITOR TO ACT FOR YOU**

We advise you to get a solicitor if you have not already done so. It is better to choose a solicitor before abduction occurs so that you do not end up trying to find someone and briefing him or her in a shocked or confused state.

It also gives you time to choose a solicitor who is skilled in the law relating to child abduction and will be sympathetic to your cause. Further advice can be sought from ICPAC.

If you have chosen a solicitor, give him or her a copy of the pack you have prepared.

Keep the other two sets in different, secure places.

Tell no-one of their existence, except your solicitor, and/or most trusted relative or friend.

If a child from your family is subsequently abducted, give:

One set to the Gardai,

One set to your solicitor, if he/she has not already got one.

Keep Set 3 – you may need it later.

**IF YOUR CHILD IS ABDUCTED OR YOU BELIEVE THAT HE OR SHE MAY BE ABDUCTED WITHIN THE NEXT 48 HOURS AND YOU THINK HE OR SHE MAY BE TAKEN ABROAD**

**TAKE THE FOLLOWING ACTION:**

1. Inform your local Garda station of the circumstances. If you have already prepared all the documentation advised in this booklet, give one copy to the Gardai. If not, then bring all relevant information in your possession to the Garda station. The Gardai can then assess whether the risk of abduction from Ireland is “real” and “imminent”. If they do so, they can issue an “All Ports Alert”.
2. Inform your legal adviser. He or she can then make arrangements to obtain a High Court Order to prevent the removal of the child from Ireland.

Please note that the issuing of an “All Ports Alert” will not necessarily prevent the removal of a child from the State. The Gardai and the immigration services are severely limited in what they can physically do to prevent the removal of a child.

The powers of An Garda Síochána to detain a child are defined in Section 37 subsection (1) of the Child Abduction and Enforcement of Custody Orders Act, 1991. This section confers wide powers on a member of An Garda Síochána to detain a child who he reasonably suspects is about to be, or is being, removed from Ireland in breach of a right of custody of, or right of access to, a child.

## **PASSPORTS**

### ***If your child has his/her own passport***

1. Do you have possession of it?  
If so, keep it in a safe place
2. If you do not have possession of it, can you get it?  
If you can, get it and keep it in a safe place.
3. Is it lost?  
Report the loss to your local Garda station and inform the Passport Office so that you can obtain a replacement.
4. Is it with the other parent who is likely to be an abductor?  
If so, and if that parent has been married to you or has parental responsibility or guardianship, ask them to return the passport. If they refuse, take legal advice.  
A court may order the return of any passport issued to, or which contains particulars of, any child likely to be abducted. This usually takes the form of the passport being lodged at a solicitor's office. It cannot be returned to the holder without permission of the court.
5. Is it with someone else?  
They have no right to have it unless a court has allowed them to do so.  
If no court order exists, ask them for the passport. If they refuse, inform the Gardai, who may consider prosecution for theft of the passport.

### ***If your child is mentioned on the passport of another person***

6. Are they mentioned on your passport?  
If so, keep it in a safe place.
7. Are they mentioned on the passport of the likely abductor?  
Take legal advice. A court may order the surrender of any passport issued to, or which contains particulars of, any child likely to be abducted

### ***General information***

1. When a court order is made for a passport to be surrendered, you or your solicitor must immediately notify the Passport Office to prevent another being issued; the Passport Office must be provided with a copy of the court order.
2. Ideally, you should ensure that all relevant children have their own passport and that the passports are kept in a safe place by you.
3. It frequently happens that when an objection is accepted by the Passport Office, the child already has a valid passport, or the child's name is already included in the valid passport of the other parent. The Passport Office cannot compel the surrender of such a passport to give effect to the objection and the most that can be done is to note the name and date of birth of the child and that of the likely abductor, so that if the passport should come into the possession of the Passport Office or another application for passport facilities for the child is made, the Passport Office could then act on the objection.

4. If you wish to object to your child being issued with a passport or being endorsed on the other parent's passport, you must supply the Passport Office with the full names and dates of birth of those involved before any action can be taken.

***Address and contact numbers of the Passport Office:***

**DUBLIN**

Setanta Centre  
Molesworth Street  
Dublin 2  
LoCall 1890 426 888  
Tel: 01 671 1633  
Fax: 01 671 1092  
E-mail: passportdublin@dfa.ie

**CORK**

1A South Mall, Cork  
LoCall 1890 426 900  
Tel: 021 494 4700  
Fax: 021 427 5770

**DUAL NATIONALITY**

1. If your child is Irish and you are unsure whether he or she may also be a national of another country, you should check this with the Embassy or Consulate of the other country.
2. If your child is a dual national or is not an Irish national, you **MUST** contact the Embassy or Consulate of the other country and ask them not to issue a passport to your child. They are not obliged to, but may agree voluntarily. If you do not succeed, take legal advice. It is possible that the courts would order surrender of a foreign passport.
3. Details of Embassies and Consulates can be found in the Dublin telephone directory in the business listings section, under Diplomatic and Consular Missions.

**CONSULAR ASSISTANCE**

The Department of Foreign Affairs cannot intervene formally in child abduction cases, but may be able to provide advice and assistance.

If your child has been taken to a country which has not signed The Hague Convention or the European Convention and in the absence of an amicable settlement, your only recourse may be to initiate legal proceedings in the courts of the country concerned. The Department of Foreign Affairs cannot recommend lawyers but may be able to provide you with a list of local lawyers who can work in English. These lawyers can advise about parental rights under local law and what, if any, local customary child care and control practices exist which might influence a court's decision in a child custody case.

The Department of Foreign Affairs can also advise on what, if any, legal aid may be available in the country to which your child has been taken.

The Department may ask you to provide them with contact details of where the abductor and child(ren) are likely to be staying, including addresses and telephone numbers. These can be passed on to the

relevant embassy personnel who can then inform the local authorities about the case and, informally, ask for a welfare report.

Department and Embassy officials cannot recover children for parents, get involved in illegal attempts to return children to Ireland, pay legal costs, fund air travel for parents, or obtain visas on behalf of parents for the countries concerned.

**Contact details:**

Department of Foreign Affairs  
Consular Section  
69-71 St Stephen's Green  
Dublin 2  
Tel: 01 408 2585 and 408 2302  
Fax: 01 4785951  
Email: [consular@dfa.ie](mailto:consular@dfa.ie)

## **BIRTH CERTIFICATES**

1. The Superintendent Registrar Offices, operating under the Department of Health and Children, are responsible for issuing copies of birth certificates. By law, the Superintendent Registrar of Births must give a copy of a birth certificate to anyone who requests it.
2. To find out if someone has applied for a copy of your child's birth certificate, you would need to know when the application was made and at which Registrar's office. Otherwise you may not be able to find out if a copy has already been obtained.
3. If you find out that a copy of a birth certificate of a child who is likely to be abducted has been obtained, you can consider notifying the Gardai of the imminent danger of abduction.

**The office of the General Registrar is at:**

Government Offices  
Convent Road  
Roscommon  
Co. Roscommon  
LoCall: 1890 25 20 76  
Tel: 090 663 2900  
Fax: 090 663 2999  
Website: [www.groireland.ie](http://www.groireland.ie)

## **REPORTING THE ABDUCTION OR LIKELIHOOD OF ABDUCTION TO THE GARDAI**

If the worst happens and you find that your child has been abducted or you fear they may be abducted in the immediate future you must act quickly to alert the Gardai, your legal advisor and the courts.

Before an "All Ports Alert" can be issued, the Gardai will need to investigate the circumstances of the abduction. You will need to convince them that the abduction, or threat of it, is real and/or imminent.

If you find you are speaking to an officer or support staff member who does not take you seriously, do not be put off. Ask to speak to a more senior officer.

Possession of the information in this pack will help.

## **OTHER PREVENTION MEASURES**

### **DNA SAMPLE**

While fingerprints remain the accepted, true and trusted way of identification of people, over the past few years DNA sampling has become more commonplace and the number of laboratories that can process samples has increased.

We recommend you pluck at least 10 body hairs (not pubic hairs) with the roots, from each of the children in your family. Place the hair samples in separate plastic bags, seal them and affix a label with the following information:

1. The name of the child.
2. Date of birth of the child.
3. Ethnic origin of the child.
4. Date the hair sample was taken.

Place the samples with your “original” set of documents set out above.

### **INFORM RELEVANT PERSONS**

In addition, you should consider letting the following people know about the threat of abduction. They can play a large monitoring role in the day to day activities of your child. Most will be conversant with the procedures outlined above.

If you or your child has one of the following, consider telling the person what you fear and why, and what you would like them to do if they see or hear anything suspicious:

1. Midwife
2. Health visitor
3. Family doctor
4. Director of crèche
5. Head teacher
6. Social worker
7. Registered child minder
8. Cub, scout, brownie or guide leader
9. Youth club leader

You may also think of others to add to this list.

Remember, tell them of your fears, let them know who can have legitimate contact with your child, and, more importantly, who should not. Make sure that those who have care of your child are very clear on who has authority to collect your child. If necessary, provide them with written instructions.

### **FINGERPRINTING YOUR CHILD**

You are advised to take fingerprints because these could be used to identify your child.

While this is less relevant for older children where identification is unlikely to be an issue, it is certainly advisable for babies and very young children.

If an abduction of a young child is successful, and the child is not found for a considerable period of time, it may be difficult for parents to positively identify their child. In the absence of identifying marks such as birthmarks, or dental impressions, the taking of fingerprints will go a long way to assisting in these cases.

However, it should be noted that not all courts accept such “fingerprint evidence”.

For the taking of fingerprints, contact your local Garda station.

**COMPLETE THE DETAILS BELOW FOR EACH CHILD AT RISK OF ABDUCTION**

SURNAME:

FORENAMES:

SEX:

DATE AND PLACE OF BIRTH:

ADDRESS:

TELEPHONE NUMBER:

ETHNIC APPEARANCE:

White European/Dark European/Afro-Caribbean/Asian/Arab/Other  
(Circle the one that applies)

HEIGHT:

BUILD:

SHOE SIZE:

EYE COLOUR:

GLASSES (Y/N):

HAIR COLOUR:

HAIR LENGTH:

NATIONALITY:

ACCENT:

MARKS/TATTOOS:

ANY SPECIAL MEDICATION REQUIRED:

PASSPORT NUMBER:

DATE AND PLACE OF ISSUE:

COURT ORDER (Y/N)

TYPE OF ORDER (ATTACH PHOTOCOPY)

If the child is abducted:

LIKELY DESTINATION:

LIKELY TIME OF TRAVEL AND PORT OF EMBARKATION

IS THE CHILD LIKELY TO HELP THE ABDUCTOR (Y/N)

After completion, make two photocopies of this form and put with the three sets you have been advised to assemble. Keep in a safe place.

**COMPLETE THE DETAILS BELOW FOR EACH LIKELY ABDUCTOR**

SURNAME:

FORENAMES:

MAIDEN NAME (if applicable)

SEX:

DATE AND PLACE OF BIRTH:

LAST KNOWN ADDRESS:

TELEPHONE NUMBER:

RELATIONSHIP TO CHILDREN:

ETHNIC APPEARANCE:

White European/Dark European/Afro-Caribbean/Asian/Arab/Other  
(Circle the one that applies)

HEIGHT:

BUILD:

SHOE SIZE:

EYE COLOUR:

GLASSES (Y/N)

HAIR COLOUR:

HAIR LENGTH:

FACIAL HAIR:

ACCENT:

NATIONALITY:

MARKS/TATTOOS:

PASSPORT NUMBER:

DATE AND PLACE OF ISSUE:

RSI NUMBER:

After completion, make two photocopies of this form and put with the three sets you have been advised to assemble. Keep in a safe place.

**DETAILS OF TIES TO FOREIGN COUNTRIES**

**RELATIVES:**

Name:  
Address:  
Telephone Number:  
Relationship to child:

Name:  
Address:  
Telephone Number:  
Relationship to child:

Name:  
Address:  
Telephone Number:  
Relationship to child:

**FRIENDS:**

Name:  
Address:  
Telephone Number:

**BUSINESS CONTACTS:**

Name:  
Address:  
Telephone Number:

If necessary, continue on another sheet.

After completion, make two photocopies of this form and add to the three sets you have been advised to assemble. Keep in a safe place.

**YOUR DETAILS**

SURNAME:

FORENAMES:

MAIDEN NAME (if applicable)

DATE AND PLACE OF BIRTH:

NATIONALITY:

ADDRESS:

TELEPHONE NUMBER:

RELATIONSHIP TO CHILDREN:

IF YOU ARE/WERE MARRIED TO THE LIKELY ABDUCTOR

DATE OF MARRIAGE:

(attach copy of marriage certificate)

**DETAILS OF YOUR SOLICITOR**

NAME:

FIRM:

ADDRESS:

TELEPHONE NUMBER:

CASE REFERENCE NUMBER (if applicable):

After completion, make two photocopies of this form and put with the three sets you have been advised to assemble. Keep in a safe place.

## **Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction**

The Convention applies between Ireland and the following States:

ALBANIA  
ARGENTINA  
ARMENIA  
AUSTRALIA  
AUSTRIA  
BAHAMAS  
BELARUS  
BELIZE  
BELGUIM  
BOSNIA AND HERZEGOVINA  
BRAZIL  
BULGARIA  
BURKINA FASO  
CANADA  
CHILE  
CHINA, HONG KONG SPECIAL ADMINISTRATIVE REGION only  
CHINA, MACAU SPECIAL ADMINISTRATIVE REGION only  
COLOMBIA  
COSTA RICA  
CROATIA  
CYPRUS  
CZECH REPUBLIC  
DENMARK  
DOMINICAN REPUBLIC  
ECUADOR  
EL SALVADOR  
ESTONIA  
FIJI  
FINLAND  
FRANCE  
GEORGIA  
GERMANY  
GREECE  
GUATEMALA  
HONDURAS  
HUNGARY  
ICELAND  
IRELAND  
ISRAEL  
ITALY  
LATVIA  
LITUANIA  
LUXEMBOURG  
MALTA  
MAURITIUS  
MEXICO  
REPUBLIC OF MOLDOVA  
MONACO  
NETHERLANDS  
NEW ZEALAND  
NICARGUA

NORWAY  
PANAMA  
PARAGUAY  
PERU  
POLAND  
PORTUGAL  
ROMANIA  
SAINT KITTS AND NEVIS  
SERBIA AND MONTENEGRO  
SEYCHELLES  
SLOVAKIA  
SLOVENIA  
SOUTH AFRICA  
SPAIN  
SRI LANKA  
SWEDEN  
SWITZERLAND  
THAILAND  
TRINIDAD AND TOBAGO  
TURKEY  
TURKMENISTAN  
UKRAINE  
UNITED KINGDOM OF GREAT BRITAIN  
UNITED STATES OF AMERICA  
URUGUAY  
UZBEKISTAN  
VENEZUELA  
FORMER YUGOSLAV REPUBLIC OF MACEDONIA  
ZIMBABWE

## Useful Addresses

Central Authority for Child Abduction  
Department of Justice and Law Reform  
Bishops Square  
Redmond's Hill  
Dublin 2  
Tel: 01 479 0200  
Fax: 01 479 0201  
Email: [child\\_abduct\\_inbox@justice.ie](mailto:child_abduct_inbox@justice.ie)

Consular Section  
Department of Foreign Affairs  
69-71 St Stephen's Green  
Dublin 2  
Tel: 01 408 2585 and 408 2302  
Email: [consular@dfa.ie](mailto:consular@dfa.ie)

Irish Passport Office  
Setanta Centre  
Molesworth Street  
Dublin 2  
LoCall: 1890 426 888  
Tel: 01 671 1633  
Fax: 01 6711092  
Email: [passportdublin@dfa.ie](mailto:passportdublin@dfa.ie)  
and  
1a South Mall  
Cork  
LoCall: 1890 426 900  
Tel: 021 494 4700  
Fax: 021 427 5770

The Legal Aid Board  
Quay Street  
Cahirciveen  
Co.Kerry  
LoCall: 1890 61 52 00  
Tel: 066 947 1000  
Fax: 066 947 1035  
E-mail: [info@legalaidboard.ie](mailto:info@legalaidboard.ie)  
Website: [www.legalaidboard.ie](http://www.legalaidboard.ie)

Dublin Office of the Legal Aid Board  
47 Upper Mount Street  
Dublin 2  
Tel: 01 644 1900  
Fax: 01 662 3661

ICPAC  
Irish Centre for Parentally Abducted Children  
8 Cambridge Avenue  
Ringsend  
Dublin 4  
Tel: 01 6620667

European Mediator for International Parental Child Abductions  
ASP 05G302  
Rue Wiertz  
B-1047 Brussels  
Belgium  
Tel: 00 32 2 284 5225  
Fax: 00 32 2 283 2042  
Email: [MediationChildAbduct@europarl.europa.eu](mailto:MediationChildAbduct@europarl.europa.eu)

Reunite  
International Child Abduction Centre  
PO Box 7124  
Leicester LE1 7XX  
United Kingdom  
Tel: 00 44 62 55 62 34 (advice line)  
Email: [reunite@dircon.co.uk](mailto:reunite@dircon.co.uk)  
Website: [www.reunite.org](http://www.reunite.org)

**The Irish Centre for Parentally Abducted Children (ICPAC)** is a charity based in Dublin, offering practical advice and support to parents whose children have been abducted, or who fear their children may be abducted to another country.

ICPAC operates a telephone help line where parents and carers can get practical advice and support from persons experienced in dealing with these cases. ICPAC also has an extensive network of contacts worldwide and works closely with Reunite – International Child Abduction Centre, based in the U.K., and ICMEC, the International Centre for Missing and Exploited Children, based in the U.S.A. ICPAC is a member of the European Network on Parental Child Abduction.

Although ICPAC cannot give legal advice, we can put you in touch with organisations, such as Reunite in the UK, who provide a list of solicitors in different countries experienced in international child abduction.