

# Annual Report 2019



Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas  
Irish Human Rights and Equality Commission

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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

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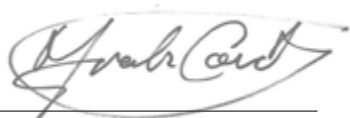
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## Report to the Houses of the Oireachtas

I hereby submit the annual report of the Irish Human Rights and Equality Commission to the Houses of the Oireachtas pursuant to section 28(1) of the *Irish Human Rights and Equality Commission Act 2014*. This annual report covers the period from 1 January to 31 December 2019.

A handwritten signature in dark ink, appearing to read 'Frank Conaty', written over a horizontal line.

Dr Frank Conaty  
*Acting Chief Commissioner*

## Message from the Commission

This annual report describes the performance of the Irish Human Rights and Equality Commission in 2019, the first year of its second strategic cycle and a very active year for the Commission. Today, the Ireland it describes is both the same, and almost unimaginably different.

The COVID-19 pandemic represents an unprecedented crisis for our society: a public health emergency of such magnitude that it has impacted our fundamental rights and freedoms, including – but not confined to – the right to freedom of movement, to an education, to family life, to earn a living, to access certain healthcare.

The State's response to the pandemic has also been without precedent in scale or speed: a ban on evictions for private tenants; State-subsidised wages to mitigate the risk of redundancies arising from an economic shock; single-tier access to health services; a reduction in prison overcrowding; a reduction in the number of people living in communal settings in Direct Provision.

However, while the pandemic, and the State's response to it, has upended many social and economic norms, it has also highlighted, in the starkest terms, existing inequalities in our society. Those who have been impacted the hardest – whether through vulnerability to the virus or by the actions taken to suppress it – are the same groups who experience disadvantage or discrimination relative to the rest of the population, even in what we now regard as 'normal' times. These include older people, women and children, members of the Traveller and Roma communities, homeless people, vulnerable migrants – including those living in Direct Provision centres – people with disabilities,

and people with mental and psychosocial challenges.

Most particularly, the harshest effect of the pandemic has been visited on older people who are resident in congregated care settings, such as nursing homes and long-term care facilities. As of the 20th of May 2020, 63 per cent of all confirmed and probable COVID-related deaths were associated with Long Term Residential Care settings, the majority of which are nursing homes.<sup>1</sup>

The Commission has consistently stated that while it supports actions taken to protect individual lives and public health, those actions should be necessary, proportionate and fair, and should be informed by human rights and equality principles.

As we move from the acute, emergency phase of the national response to the pandemic, to its challenging economic aftermath, and a longer-term accommodation of the threat of COVID-19, it is more important than ever that human rights and equality principles are built into the recovery. Ireland is facing into a period of considerable economic stress and it is critically important that the distribution of this burden does not exacerbate existing inequalities in our society.

Both economic and health insecurity will continue to cast a long shadow for some time to come. More than ever, the resilience of our society as a whole is dependent on our ability to act collectively. In turn, the ability to act collectively relies on people being able to participate as fully as possible, as equals, in their community, in the labour

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<sup>1</sup> Overview of the Health System Response to Date: Long Term Residential Healthcare Settings, NPHET Meeting Paper 22nd of May

market, and in how they access services such as health, housing and education. It also means upholding the rights and equal dignity of those who are at particular risk of having their rights undermined or having their dignity subordinated.

Looking ahead, the vulnerability of people in congregated institutional settings to the impact of the pandemic points to the need to address the role of institutionalisation in public policy. This includes how care for older people, or people without the capacity to live independently, is treated in public policy.

It also includes the system of Direct Provision for applicants for international protection, which the Commission has consistently argued should be radically reformed, and phased out over time. We welcome the preliminary recommendations of the Expert Group on the Provision of Support, including Accommodation, to Persons in the International Protection Process, and look forward to progress by Government on these.

The rights of people with disabilities to participate fully in an altered society will continue to be of particular concern. It is critical that the current public health crisis does not result in a regressive drift to a medicalised model of rights for people with disabilities, whose equal right to participate in the economic, social and cultural life of the country has not changed.

As the economy reopens, access to housing for the thousands of individuals and households who are currently homeless will remain an acute human rights issue. The ongoing need for consistent hygiene practices and social distancing will make the provision of appropriate, quality accommodation even more pressing.

The pandemic has shone a light on what is classed as 'essential' work in our economy

and our society. Often this essential work is neither well-paid nor secure. Frequently, it is undertaken by migrant workers. Some, such as that done by healthcare workers – from porters and care assistants to medics – is carried out at personal risk. The right to decent work will be an ongoing focus of the Commission.

Assessing the overall impact of COVID-19, and the response to it, will require a more comprehensive approach to transparent data collection relating to vulnerable groups by public bodies. If Government and legislators are to make decisions informed by human rights and equality principles, it is imperative that they have access to the relevant evidence.

### **Progress in 2019**

There were a number of notable actions by the Commission in 2019 to progress the strategic priorities identified in its second strategic statement. These included the initiation in June of a national equality review of the provision of Traveller accommodation by every Local Authority. This was in the context of consistent underspend of funds for Traveller accommodation by Local Authorities, despite a clear need.

Recent events in the United States have once again shone a light on racism, and its invidious impact on individuals and society. Ireland is not immune to the malaise of racism. A key focus of the Commission's work in 2019 was Ireland's examination before the United Nations Committee on the Elimination of Racial Discrimination. The Commission published its comprehensive report assessing Ireland's performance since 2011 on combatting racial discrimination, making over 150 recommendations for State action to tackle racism and discrimination. This report was made available to UN experts to inform their questioning of the State in Geneva in December on how Ireland has been meeting

its obligations under the UN Convention on the Elimination of All Forms of Racial Discrimination, and was significantly reflected in that Committee's concluding observations. Countering racism and hate speech is imperative to the building of acceptance of diversity and respect for the dignity of all persons. The Commission is committed to playing a leadership role in combatting racism and promoting intercultural understanding.

The Commission's report to the UN Committee on the Elimination of Racial Discrimination reasserted its position that the system of Direct Provision should be phased out over time. This was subsequently reflected in the Committee's recommendation that there be a significant reform of the Direct Provision system. The Commission continues to progress the rights of applicants for international protection living in Direct Provision, and those with refugee status, through its legal work, including the initiation of an Equality Review of the provision of bank accounts for asylum seekers and naturalised refugees.

The Commission continued to develop its future role as the independent monitoring mechanism under the UN Convention on the Rights of Persons with Disabilities. The participation of people with disabilities in the labour market was a particular point of focus with the hosting of a conference for unions and employers to examine practical ways in which reasonable accommodations in the workplace for people with disabilities can be met. The Commission also acted as *amicus* in a successful Supreme Court case (*Marie Daly v. Nano Nagle*), where the landmark judgement provided important clarifications about the right to reasonable accommodation in the workplace. Following from this judgement, the Commission undertook to develop a legal code of practice on reasonable accommodation – work which is ongoing in 2020.

## Conclusion

When the Commission welcomed UN High Commissioner for Refugees, Filippo Grandi to our offices in July 2019, the High Commissioner commented "through my work I have met many refugees, equally I have met many presidents of countries. It has only been in Ireland I met both refugees and presidents in the same room". This comment is an anecdotal reminder that, despite challenges and setbacks, Ireland's instinct can bend towards inclusivity, dignity and equality. It has never been more important to lean into that instinct, and to bring the collective response to the COVID-19 emergency to the reshaping of our society in its aftermath.

I want to thank Commission staff and Director Laurence Bond for their wide-ranging work in 2019 to support the Commission. In this past year, half of the members of the Commission completed their terms of office: their work and commitment to the mission of the Commission was greatly appreciated. I would also like to take this opportunity to thank the Commission's first Chief Commissioner, Emily Logan, for her leadership, dedication and vision in the foundational years of the new body.

In 2020, the Commission will welcome the formal appointment of its new Chief Commissioner and new members to the Commission following an open recruitment process set out in the *Irish Human Rights and Equality Act 2014*. We look forward to continuing our mandate with renewed energy, hope and determination at a time when the promotion of a just and inclusive society has never been more important.



A stylized, handwritten signature in dark ink, appearing to read 'Frank Conaty', written over a thin horizontal line.

Dr Frank Conaty  
Acting Chief Commissioner

## Who We Are

The Irish Human Rights and Equality Commission was established on 01 November 2014, as an independent public body with a mandate under the *Irish Human Rights and Equality Commission Act 2014*. The Commission is Ireland's independent national human rights institution and its national equality body.

The Commission Members are appointed by President Michael D. Higgins, following a resolution by both Houses of the Oireachtas. The Commission operates independently of Government, with its institutional independence guaranteed in its establishing legislation, which provides for accountability of the Commission for its statutory functions to the Oireachtas.

### Statutory Mandate

The overall statutory functions of the Commission provided for in section 10 of the legislation are:

- » to protect and promote human rights and equality;
- » to encourage the development of a culture of respect for human rights, equality, and intercultural understanding in the State;
- » to promote understanding and awareness of the importance of human rights and equality in the State;
- » to encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person; and
- » to work towards the elimination of human rights abuses, discrimination and prohibited conduct.

In undertaking its mandate the Commission is explicitly tasked with contributing to the development of a society in which:

- » there is respect for, and protection of, each person's human rights;
- » there is respect for the dignity and worth of each person;
- » a person's ability to achieve his or her potential is not limited by prejudice, discrimination, neglect or prohibited conduct;
- » each person has a fair and equal opportunity to participate in the economic, political, social or cultural life of the State; and
- » there is mutual respect between persons, including classes of persons, based on a shared understanding of the value of diversity within society and on a shared respect for equality and human rights.

## Commission Members in 2019



Above from left to right: Chief Commissioner Emily Logan, Teresa Blake SC, Frank Conaty, Patrick Connolly, Professor Caroline Fennell, Heydi Foster Breslin, Tony Geoghegan, David Joyce, Salome Mbugua, Sunniva McDonagh SC, Professor Siobhán Mullally, Professor Ray Murphy, Dr Fidèle Mutwarasibo, Colm O'Dwyer SC, Orlagh O'Farrell.

# Report of Activity





## Introduction

The Irish Human Rights and Equality Commission is Ireland's independent national human rights and equality institution. Our purpose is to protect and promote human rights and equality in Ireland and to build a culture of respect for human rights, equality and intercultural understanding.

This Annual Report covers the first year of our current Strategy Statement 2019–2021 and reports on our activities during 2019 to advance each of the Commission's four strategic priorities:

1. To protect the rights of individual persons who face the greatest barriers to justice;
2. To influence legislation, policy and practice;
3. To engage with key organisations to address discrimination and human rights abuses; and
4. To raise the quality and broaden the extent of the dialogue on human rights and equality issues.

Section five then reports on how we have ensured good corporate governance and have delivered on our corporate and compliance responsibilities during the year under review.

Finally, in the sixth section we report on our work to implement the Public Sector Equality and Human Rights Duty, as required of all public bodies under Section 42 of the *Irish Human Rights and Equality Commission Act 2014*.

### Strategy Statement 2019–2021




Coimisiún na hÉireann um Chearta an Duine agus Comhionannas  
Irish Human Rights and Equality Commission

# STRATEGIC PRIORITY 1:

## **Protect the rights of individual persons who face the greatest barriers to justice**

### OBJECTIVES

- » Ensure through public information campaigns and digital engagement that the rights and equality of individuals and the means to vindicate them are widely understood;
  - » Provide people facing discrimination and human rights violations with the knowledge, skills and information necessary to vindicate their rights; and
  - » Assist individuals in situations of particular concern to vindicate their rights through our enforcement powers.
- 

## Providing Information to Individuals on their Rights

Through its 'Your Rights' information service, the Commission provides information to the public on the rights, remedies and obligations provided for under human rights law and equality law in Ireland. This includes the *Equal Status Acts 2000- 2015*, the *Employment Equality Acts 1998- 2015*, section 19 of the *Intoxicating Liquor Act 2003*, the *ECHR Act 2003-2014* and the Irish Constitution. During 2019 we dealt with 2,165 queries, compared to 1,711 in the previous year, giving an annual increase of 454 (27%).

The infographic on the following page provides highlights of the 2019 queries received and further details are included in **Appendix 8**.

“ I would like to let you know that we were successful in securing a HAP tenancy and we have a home for Christmas, the children are so happy, they have a bedroom each and a place for Santa to visit. I cannot thank you enough for your advice, your professionalism and more importantly your kindness, you gave me back confidence in myself and told me to not give up trying.

– Your Rights Service User

## 2,165 queries

about human rights and equality law were handled through  
'Your Rights' in 2019

<b>672</b> related to the <i>Equal Status Acts 2000-2018</i>	<b>474</b> related to the <i>Employment Equality Acts 1998-2015</i>	<b>316</b> related to Human Rights	<b>29</b> related to the <i>Intoxicating Liquor Act 2003</i>
<b>29%</b> Disability Ground	<b>36%</b> Disability Ground	<b>14%</b> Administration of Justice/ Procedural rights	<b>41%</b> Membership of the Traveller Community
<b>17%</b> Housing Assistance Ground	<b>24%</b> Gender Ground	<b>11%</b> Homelessness & Social Housing	<b>24%</b> Disability Ground
<b>12%</b> Race Ground	<b>12%</b> Race Ground	<b>11%</b> Decent work	<b>14%</b> Age Ground

## 52 queries

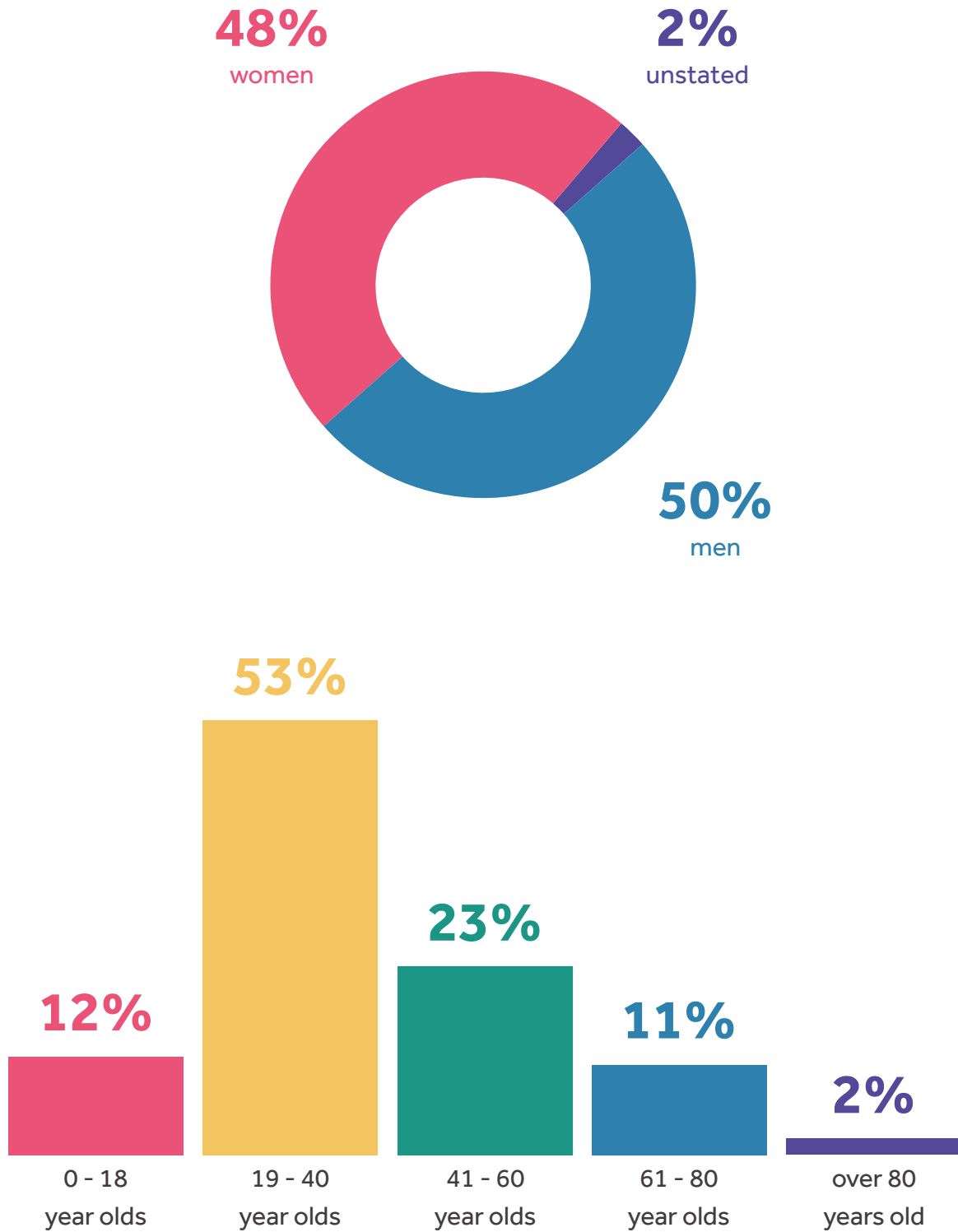
relating to equality, but which were not covered by the *Employment Equality Act*, the *Equal Status Act* or the *Intoxicating Liquor Act*.

## 622 referrals

to other information resources or services, including for example the Workplace Relations Commission, Ombudsman's offices, regulatory bodies such as the Data Protection Commission and Consumer Protection Commission, or to the Legal Aid Board and FLAC.

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## Who is contacting us



## Providing Legal Assistance to Individuals

Under Section 40 of the *Irish Human Rights and Equality Commission Act 2014*, the Commission can, in certain circumstances, give legal assistance to a person who wishes to bring a matter relating to equality or human rights before the Workplace Relations Commission or the Courts. The assistance provided can be legal advice only or legal advice and representation.

At the beginning of 2019, we had 128 individual clients who had been granted legal assistance and whose cases were ongoing. Of these 82 had been approved for legal advice only and 46 had been approved for legal advice and representation. A further 15 applicants were awaiting a decision on their application for assistance.

During 2019, 80 new individual applications for legal assistance were received, 42 applications were approved of which 16 approvals were for legal assistance only and 26 for advice and representation, 21 applications were refused and 8 were withdrawn.

We completed our work on 66 client files during 2019 including some that had been opened in previous years. 25 of these clients were given legal advice only, while 41 were provided with legal representation. Details of these completed matters are set out in the tables below.

At year end, we had 104 clients whose cases were ongoing, Of these, 73 had been approved for legal advice only, and 31 for legal advice and representation. A further 24 applicants were awaiting a decision on their applications.



## Legal Advice Assistance Completed in 2019

During 2019, 25 client files granted legal advice assistance but not legal representation were concluded, compared to 16 concluded in 2018.

The areas that the 2019 advice assistance covered were:

### *Employment Equality Acts 1998 – 2015:*

Ground of Discrimination	No. of clients	Issue
Disability	2	An employer's obligation to provide reasonable accommodation.
Gender	1	Working conditions and harassment in relation to a transgender worker
Age	1	A maximum age limit for applications
Race	1	Access to public employment and EU free movement of workers

### *Equal Status Acts 2000 – 2018:*

Ground of Discrimination	No. of clients	Issue
Disability	1	The refusal to be served in a licensed premises with a guide dog, under the <i>Intoxicating Liquor Act 1990</i>
Disability	1	Access to home support services
Race	2	The refusal of driver licences for asylum seekers, both of whom were living in Direct Provision
Race	1	Access to banking services for a naturalised Irish citizen

### *Human Rights:*

No. of clients	Issue
1	Conditions of detention, disability and family rights
5	Housing conditions for members of the Traveller Community
9	Right to dignity and their rights to family life in respect of a local authorities stated failure to provide them with appropriate housing to meet the needs of their child who has complex range of disabilities

## Legal Representation Assistance Completed in 2019

During 2019, 21 cases, involving 41 individual clients granted legal advice and representation, were concluded. This compares to 9 cases involving 14 individual clients concluded in 2018.

The details of these cases are below:

### Cases under the *Employment Equality Acts 1998 – 2015*:

Case & Ground	No of clients	Issue	Outcome
Stephen Dunne v. Sky Handling Partner Limited  Disability ground	1	Mr. Stephen Dunne was dismissed from his employment as an Aircraft Service Agent with Sky Handling Partner Ltd specifically due to his dyspraxia.	The WRC adjudication found the company had failed to provide reasonable accommodation and that Mr Dunne discriminatorily dismissed. Sky Handling Partner Ltd was ordered to review its employment procedures and to pay Mr. Dunne €15,000 in compensation, the equivalent of 18 months' pay.
A Prospective Employee v. A Recruitment Agency  Disability ground	1	The offer of employment to a man living with HIV was withdrawn because of his medical condition.	Resolved through mediation.
An Employee v. An Employer  Disability ground	1	An employee with a disability complained about his employer's failure to make reasonable accommodation and to provide equal pay.	Resolved through mediation.
An Applicant to a Vocational Training Course v. A Vocational Training Provider  Disability ground	1	A man with a visual disability was refused a place on a vocational training course. This refusal was on the basis that he would be using his own safety equipment, which he had modified to accommodate his disability.	Resolved in advance of WRC hearing. The training provider agreed to pay compensation to the applicant, provide anti-discrimination training to its staff, review its equality policies, and keep them updated.
A Clerical Officer v. A Public Body  Disability ground	1	The man who has Obsessive Compulsive Disorder, was placed on extended probation and had his increments refused.	A complaint was made by the man to the WRC, including failure to provide reasonable accommodation. He was not successful before the WRC. The Commission extended its grant of legal assistance to cover his appeal to the Labour Court.



## Cases under the *Equal Status Acts 2000 – 2018*:

Case & Ground	No. of Clients	Issue	Outcome
A Tenant v. An Accommodation Provider	1	A disabled man was refused permission to have his assistance dog living with him in rented accommodation.	Resolved through mediation.
Disability ground			
A Service User v. A Dentist and A Dental Clinic	1	A woman who had let the dental clinic know of her HIV status in advance of an appointment, having been injected with anaesthetic while seated in the dentist's chair, was then refused treatment by the dentist.	Resolved through mediation. The dental clinic apologised, and made payment of €10,000 to her. It also implemented a company equality policy and provided equality and diversity, including HIV, training to its employees.
Disability ground			
A Tenant v. A Local Authority	1	A tenant alleged discrimination on the age ground in the provision of housing against the local authority.	The tenant referred a complaint to the WRC but the matter settled before going to a full hearing.
Age ground			
Two Applicants for a Mortgage v. A Bank	2	Bank representatives approached an Irish citizen with an offer to switch mortgage providers. When the man made the mortgage application to the bank confirming that his wife is a non-EEA national, the application was refused because his wife was resident on a Stamp 4 immigration visa.	The couple made a complaint of discrimination to the WRC. Resolved through mediation.
Race ground			
A Syrian Refugee v. A Bank	1	A high-street bank refused to open a bank account for the man who is a Syrian refugee, on the ground of his Syrian nationality.	The WRC adjudication ordered the bank to pay compensation of €4,000 to the man, and ordered the bank to engage directly with the Commission to minimise the possibility of a re-occurrence of this type of incident.
Race ground			
An Asylum Seeker v. Road Safety Authority (RSA)	1	The man applied for and was granted a learner driver permit in early 2018. He subsequently passed his driver test and applied for a full driver licence.  However, when at his local NDLS office, a member of staff refused to issue him with a driver licence on the ground that he lacked the proof of normal residence required by the RSA. The man referred the matter to the Ombudsman and continued to engage in correspondence with the RSA before referring a complaint of discrimination on the ground of race to the WRC.	The WRC refused jurisdiction on the grounds that his ES1 complaint form had been served out of time on the RSA. Having secured full residency permission and a driver licence in the meantime, he decided not to appeal.
Race ground			

A Refugee v. A Bank	1	The high-street bank blocked the man, a refugee resident in the State for several years and a customer of the bank, from applying for a credit card online based on his nationality.	The man made his complaint to the WRC.  Resolved through mediation.
Race ground			
A Tenant v. A Letting Agent	1	The woman was offered the tenancy of a property. However when she advised the letting agent that she would be paying the rent through the Housing Assistance Payment ('HAP') scheme, she was informed that this would not suit the landlord.	The woman made her complaint to the WRC.  Resolved through mediation. The letting agent agreed to pay compensation, make a donation to charity, provide equality training to its staff, and draft and publish on its website an equality policy and equality statement.
Housing Assistance ground			
A Prospective Tenant v. A Landlord	1	Faced with imminent homelessness, the man responded to an online advert for a rental property. In response to a written question from the landlord, he advised that the property would be for him and his family and that the rent would be paid by HAP. The landlord replied, <i>"I don't take social welfare, sorry about that."</i>	The man submitted his complaint to the WRC.  In its decision, the WRC ordered the landlord to pay €4,000 in compensation.
Housing Assistance ground			
A Tenant v. A Landlord	1	The woman contacted a landlord to arrange a viewing of a rental property. The landlord questioned whether she was in full-time employment. The woman responded that, currently, she was not, but she was in receipt of HAP and she further indicated a willingness to pay an extra rent top-up of €100 per month. She received a reply stating the landlord was <i>"looking for professionals not on the HAP scheme."</i>	The WRC ruled that the landlord's preference for non-HAP tenants was discriminatory.  It ordered the landlord to pay a total of €750 in compensation to the woman.
Housing Assistance ground			
A Tenant v. A Landlord	1	A 2018 case saw an award from the WRC to a woman of €3,500 for the effects of discrimination on the ground of HAP and a further €2,000 for harassment. When the landlord refused to pay within 56 days, the Commission granted her legal assistance to enforce the WRC decision.	The woman obtained an enforcement order from the District Court, which her legal representatives sent to the Dublin County Sheriff's office. This matter is ongoing.
Housing Assistance ground			

## Cases under the *Intoxicating Liquor Act 2008*:

Case & Ground	No. of Clients	Issue	Outcome
Five Members of the Traveller Community v. A Hotel  Traveller community ground	5	The five people alleged that they had been discriminated against when they were refused service in a hotel bar. They had been attending a conference at the venue on issues affecting the Traveller community. They went to the bar after the conference only to be informed that they could not be served because the hotel was serving residents only.	The five applied to the District Court for redress under the <i>Intoxicating Liquor Act 2003</i> .  Resolved through mediation.
A Man v A Public House  Disability ground	1	The man, who has a brain tumour, was asked to leave the pub where he was celebrating the end of his rehabilitative treatment, because he appeared unsteady on his feet.	Without having to go to court the pub agreed to issue a meaningful apology to the man alongside compensation of €3,500. The management also agreed to attend an annual equality training course, and to report back to the Commission under the agreed settlement, which saw no admission of liability.

## Cases in Relation to Human Rights:

Case	No. of Clients	Issue	Outcome
The Rostas Family v. Dublin City Council	7	<p>A couple, who are EU nationals and the parents of 5 children, brought judicial review proceedings challenging a decision of Dublin City Council ('DCC') to remove them from the social housing list because they purportedly did not have right of residence in Ireland.</p> <p>DCC relied on Housing Circular 41/2012 in assessing the right of residence. However, the complainants have a right of residence under EU law.</p>	<p>The case was settled and DCC reinstated the complainants onto the social housing list, backdated to the date of their original application and with homeless priority.</p> <p>The High Court awarded costs in favour of the Commission.</p>
A Family v. A Local Authority	5	A family who were being accommodated in a family hub challenged the house rules on the basis that they breached the right to family and private life.	Pre-litigation resolution reached - the family were offered long term social housing.
A Family v A Local Authority	6	A local authority failed to provide a homeless family, who are members of the Traveller community, social housing and failed to clarify their status on the housing list.	Pre-litigation resolution reached – the family were offered suitable social housing.

“IHREC’s unwavering commitment to upholding my basic human rights not only completely vindicated my position, allowing me to close a painful chapter in my life, it also provided much needed assurance that a major employer in the country were reassessing their policies, procedures and responsibilities which would be enormously beneficial to future employees who would have otherwise been in a similar situation.”

– Recipient of Legal Assistance

## Tackling Discriminatory Advertising

### IHREC v. Daft Media Ltd

In August 2019, the WRC decided in favour of the Commission in its almost three-year long own-name legal action against Daft Media Limited's publication online of discriminatory rental adverts on its property website *daft.ie*. In bringing the complaint to the WRC, the Commission used our powers under the *Equal Status Acts* to submit four adverts from the *daft.ie* website in 2016, which appeared to discriminate on the housing ('HAP'), age and family status grounds of the *Equal Status Acts*.

These adverts included terms directed towards prospective tenants, which read "rent allowance not accepted"; "suit family or professionals only"; "would suit young professionals" and "references required".

The WRC ordered Daft Media Ltd. to "refrain from publishing, or displaying or permitting to be published or displayed on its website" discriminatory adverts, and to "develop a methodology to identify, monitor and block discriminatory advertising on its website".

The WRC rejected Daft Media Limited's arguments that it was a 'mere conduit' for online content under EU law and rejected the claim that such EU law provisions rendered Daft Media Limited immune from this complaint by the Commission. The adjudication also set out that the company "has a vicarious liability for advertisements placed on its website by third parties where these constitute a breach of the *Equal Status Act*."

Daft Media Ltd. appealed the decision of the WRC to the Circuit Court in September 2019. The appeal is pending.



## Acting as Amicus Curiae

The Commission can apply to the Superior Courts for liberty to appear as *amicus curiae* ('friend of the court') in proceedings before that court that involve, or are concerned with, the human rights or equality rights of any person. It is up to the court at its discretion to grant or refuse our involvement.

As *amicus curiae*, the Commission does not represent any of the parties in the case; rather we assist the Court in respect of the human rights and/or equality issues relevant to the case.

At the start of 2019, we were involved in 8 ongoing cases as *amicus curiae* in the Superior Courts. Five of these pre-2019 cases concluded in 2019 and one was still ongoing at the end of the year.

The remaining two of these cases were decided during the year and were then appealed to the Supreme Court. The Commission sought and was granted leave from the Court to intervene as *amicus* in these joined appeals, which were awaiting a hearing at the end of the year.

During 2019 the Commission was also granted liberty to intervene as *amicus curiae* in the Supreme Court appeal of a case decided by the High Court in 2018, in which it had acted as *amicus*. This case also concluded during the year.

The Commission also sought and was granted liberty to intervene in three further cases during the year of which two were concluded while the other was awaiting judgement at the end of the year.

At year end therefore the Commission was involved in 4 ongoing cases as *amicus curiae*.

Please note that the reporting period covered here runs to 31 December 2019. For more recent developments in relation to these and other legal cases where the Commission is exercising its *amicus curiae* role, please visit [www.ihrec.ie/category/press-releases](http://www.ihrec.ie/category/press-releases)

### CASE: KEVIN TRACEY V. DISTRICT COURT JUDGE AENEAS MCCARTHY & THE DIRECTOR OF PUBLIC PROSECUTIONS & OTHERS (IMPRISONMENT FOR CONTEMPT OF COURT) - SUPREME COURT

This case arose from a contempt of court ruling issued against Mr. Tracey in the District Court, and focused on the manner in which the finding of contempt was made. It concerns an examination of the precise circumstance in which it is permissible to commit someone for contempt in the face of the Court, considering the case law of the European Court of Human Rights and Irish constitutional law. In August 2017 the Commission was invited by the Supreme Court to exercise its function as *amicus curiae* in this case considering the significant human rights issues at question around the right to fair trial and the need to ensure clarity in the law in relation to contempt of court. The case was heard in April 2018

**Outcome:** In February 2019, the Supreme Court delivered its judgment and clarified the law on how contempt of court issues should be approached by judges with respect to ensuring a person's right to a fair trial. In its judgment, the Court distinguished between courtroom management and related disciplinary procedures (e.g. to allow proceedings to be conducted

in an orderly fashion) and, on the other hand, the court's exercise of its contempt of court jurisdiction, which may result in criminal convictions.

Where proceedings for contempt are considered necessary, a court may consider it appropriate to proceed with a separate hearing of contempt, and in this circumstance the person concerned should be warned and given the option of obtaining legal representation. The person must be given a fair opportunity of defending themselves since this is in nature a criminal offence. Where the alleged contempt consists of allegations against a judge personally, it will be necessary to have another judge hear and determine the matter.

The ruling also noted that it would be highly desirable if the opportunity was taken to place the contempt jurisdiction of all courts on a sound statutory basis, consistent with the requirements of fairness and the constitutional obligation to administer justice.

In relation to Mr Tracey, the Court found that fair procedures had not been followed and so allowed his appeal and quashed the original order of the District Court, which had found him to be in contempt of court and sentenced him to seven days' imprisonment.

#### **CASE: DAVID WALSH V. THE MINISTER FOR JUSTICE AND EQUALITY, THE DIRECTOR OF PUBLIC PROSECUTIONS, THE COURTS SERVICE, JUDGE ALICE DOYLE AND THE GOVERNOR OF**

#### **CORK PRISON (IMPRISONMENT FOR CONTEMPT OF COURT)**

The matter is linked to the case of Kevin Tracey v. District Court Judge Aeneas McCarthy & the Director of Public Prosecutions (see above). Here the Court found that fair procedures had been applied and dismissed the appeal.

#### **CASE: INTERNATIONAL TRANSPORT WORKERS' FEDERATION V. THE MINISTER FOR JUSTICE AND EQUALITY, IRELAND AND THE ATTORNEY GENERAL (TRAFFICKING FOR LABOUR EXPLOITATION)**

This case centred on the request from the International Transport Worker's Federation ('ITF') to the High Court for an immediate moratorium on the grant or renewal of work permits issued by the Minister for Justice and Equality under the Atypical Work Permit Scheme for non-EU fishermen, pending a review of conditions attaching to the scheme. The ITF commenced these proceedings after it identified a number of individuals who arrived in Ireland on foot of permits granted under the scheme, and referred them to Gardaí for investigation as suspected victims of human trafficking and other severe forms of labour exploitation on Irish fishing vessels. The High Court granted leave to the Commission to intervene as *amicus curiae* in October 2018.

**Outcome:** In December 2018, the High Court refused the Applicant's interlocutory application to temporarily suspend the Atypical



Work Permit Scheme. The parties subsequently agreed to enter into mediation, which was successful, and the matter was resolved to the satisfaction of the parties. In April 2019, the ITF and the Minister for Justice and Equality presented the terms of the settlement to the High Court. The agreement made a number of changes to the Atypical Work Permit Scheme for non-EEA fishermen working on the Irish fishing fleet, including:

- » Flexibility for non-EEA fishermen to move to another vessel within a defined time period without the risk of visa cancellation and deportation. Their previous employer cannot veto such a move;
- » Inter-agency collaboration between the WRC, Marine Survey Office MSO and the Gardaí if necessary to be streamlined to combat exploitation on board fishing vessels; and
- » Greater promotion of awareness among non-EEA fishermen of their rights and entitlements.

#### **CASE: SWEENEY V. MINISTER FOR JUSTICE, IRELAND AND THE ATTORNEY GENERAL (RIGHT TO REMAIN SILENT AT GARDA INTERVIEW)**

The case relates to a man who was questioned, but not charged, in relation to a criminal investigation. When interviewed by Gardaí investigating the original case, he was cautioned that he had the right to remain silent, but he was not informed that his failure to respond to

questioning could lead to a separate charge of withholding information from the Gardaí, as subsequently happened when he was charged under the *Offences Against the State Act*. The Commission was granted leave to appear as *amicus curiae* in February 2019, to focus on the human rights aspects of the right to silence, privilege against self-incrimination and fair trial rights.

**Outcome:** The Supreme Court delivered its judgment in May 2019, and overturned the earlier High Court order declaring section 9(1)(b) of the *Offences Against the State Act* unconstitutional. The High Court had held that the legislation “makes silence of itself an offence” and was “impermissibly vague and uncertain”. The Supreme Court clarified the scope of the offence, and held that section 9(1)(b) of the *Offences Against the State Act* does protect the right to silence of any person who does not wish to speak about their own involvement in a crime where to speak would incriminate that person. It does not change the principle that unless a participant wishes to speak of their own volition, the law should not compel them to self-incriminate.

#### **CASE: NANO NAGLE SCHOOL V. MARIE DALY (DISABILITY, RIGHT TO REASONABLE ACCOMMODATION)**

This case relates to the correct interpretation of the duty to provide reasonable accommodation under the *Employment Equality Acts 1998-2015* ('EEA'). Ms Marie Daly, a Special Needs Assistant ('SNA'), had worked with children who had learning and/



or physical disabilities at the Nano Nagle School since 1998. In 2010, she suffered an accident and after a period of rehabilitation, she sought to return to work in 2011. The school board concluded that Ms Daly did not have the capacity to undertake her full set of duties nor would she in the future, and so decided not to permit her to return to work. Ms Daly made a complaint to the former Equality Tribunal (now the Workplace Relations Commission) on the basis that the School had failed to provide appropriate measures to accommodate her, as a person with a disability, to return to work contrary to section 16 of the EEA. The case proceeded by appeal through the courts to the Supreme Court. The Commission was granted leave to appear as *amicus curiae* by the Supreme Court in October 2018 and the case was heard in March 2019.

**Outcome:** In July 2019, the Supreme Court delivered its judgment, and reversed the previous decision of the Court of Appeal by setting out that reasonable accommodation can involve a redistribution of any task or duty in a job, provided that it is not disproportionate in the context of the employment in question. The Supreme Court pointed to an approach that looks at the individual's employment in the round by considering it within the wider context of its relationship to fellow workers and the workplace. The Court also held that, whilst it is not mandatory to consult with the employee, it would be prudent for employers to do so. The Court also focused on the dignity of the person and the centrality of the State's obligations under the UN Convention on the Rights of Persons

with Disabilities ('UNCRPD') ratified by Ireland in 2018.

“ A person with a disability remains a person, an individual with human dignity who is required to be treated as such.

– Mr. Justice Peter Charleton

#### **CASE: A.C. V. CORK UNIVERSITY AND OTHERS, A.C V. ST. FINBARR'S AND OTHERS (WARDSHIP, DETENTION IN HOSPITAL, AND TRANSFER TO NURSING HOME WITHOUT CONSENT)**

The Supreme Court granted leave to the Commission to intervene as *amicus curiae* in this case, which explored the lawfulness of the procedures under which an elderly woman was kept in a hospital and nursing home, and made a Ward of Court. The person at the centre of the case, ('AC'), a (then) 93-year-old woman, was admitted to Cork University Hospital with broken hips in 2016. She was later made a Ward of Court and transferred to a nursing home. AC's son instituted High Court proceedings to challenge the lawfulness of his mother's detention in Cork University Hospital and in the nursing home.

**Outcome:** The Supreme Court handed down its judgment in October 2019 and found that the process whereby AC had been a Ward of Court was flawed, in that her fair procedure rights were not vindicated. The Court made

clear that, in future, a Ward's voice should be heard in proceedings that impact directly upon them, and that guardians ad litem might have to be appointed to guarantee that they were heard. The Court also raised specific concerns about the absence of legal aid in cases such as these to ensure the person's interests are protected, given the consequences of admitting a person into wardship. The Supreme Court remitted the matter back to the High Court.

#### **CASE: MINISTER FOR JUSTICE AND EQUALITY V. CELMER (EXTRADITION, RIGHT TO A FAIR TRIAL)**

This case centres on the requested extradition of Mr Artur Celmer, a Polish national, to Poland under the European Arrest Warrant system, where concerns have been raised by Mr. Celmer over the impact of recent legislative changes in Poland on the independence of the judiciary, the courts and the Public Prosecutor. These changes, according to Mr. Celmer, undermined the possibility of him receiving a fair trial. The Commission appeared as *amicus curiae* before the High Court in 2018, which ordered Mr Celmer's extradition, finding that the facts did not demonstrate that his extradition risked a flagrant denial of his fair trial rights. Mr Celmer appealed this decision. The case was appealed directly from the High Court to the Supreme Court due to its significant public importance. The Commission was granted leave to intervene as *amicus curiae* by the Supreme Court in April 2019.

**Outcome:** In November 2019, the Supreme Court handed down its judgment and held that the independence of the judiciary forms part of the essence of the fundamental right to a fair trial. The Court further set out that systemic deficiencies in a particular judicial system could, in certain circumstances, by themselves amount to a sufficient breach of the essence of the right to a fair trial. However, in Mr. Celmer's case, while the systemic changes in Poland were viewed as serious and grave, they could not themselves be sufficient to cross the threshold of a real risk of breaching his right to a fair trial.

“ The decision of the C.J.E.U. makes it clear, that a breach of judicial independence is a breach of the essence of the right.

– Mr. Justice O'Donnell

#### **CASE: FAGAN AND OTHERS V. DUBLIN CITY COUNCIL (RIGHTS OF A SEPARATED FATHER TO SUITABLE ACCOMMODATION FOR ACCESS TO CHILDREN)**

In July 2019, the Supreme Court granted the Commission leave to intervene as *amicus curiae* in this case, which concerned a separated father of three who sought Housing Assistance Payment ('HAP') assistance to accommodate himself and his children. The Dublin City Council assessed him as a one-person household for the purposes of the *Housing Act 2009*, notwithstanding his three-night per

week custody and co-parenting rights to his children, and so regarded Mr. Fagan's need as being solely for a single bedroom unit.

**Outcome:** The Supreme Court handed down its judgment in December 2019. The Court found that Dublin City Council had exceeded its discretion under law in deciding that Mr. Fagan was only to be treated as a one-person household and in need of only a single bedroom unit, despite the fact that he had co-parenting rights to his children. The Supreme Court said that parents such as Mr. Fagan were described by Dublin City Council as "access parents" when in reality, in many instances, they are joint custodians of their children who want to play a significant role in their upbringing and have such an entitlement either as a result of an agreement with the other parent or as a result of a court order. The Commission cited rights under the Constitution (Article 42A) and the European Convention on Human Rights (ECHR Article 8) in relation to family life, parental and children's rights, and the Council's obligations as a public body to implement these rights. While the Supreme Court held that it was not necessary to engage with these arguments, it concluded "*...this judgment is one which would undoubtedly be consistent with the rights, if any, espoused in Article 42A of the Constitution or Article 8 of the ECHR.*"

#### **CASE: MKFS V. MINISTER FOR JUSTICE AND EQUALITY (VALIDITY OF MARRIAGE)**

The Supreme Court granted the Commission leave to intervene in this case focused on marriage and family rights in July 2019. The case concerns a non-EU national who is subject to a deportation order because the Minister determined his marriage to an EU national to be one of convenience which was designed to obtain an immigration advantage. In February 2019, the Supreme Court granted leave to appeal an earlier High Court Judgment, on the grounds there is a need to clarify the law on this matter beyond the facts of this particular case. This case is expected to clarify whether a marriage contracted under the *Civil Registration Act 2014* is valid where the Minister for considers it to have been contracted for the purposes of obtaining an immigration benefit.

**Outcome:** The appeal was heard in October of 2019. A decision from the Supreme Court is awaited.

#### **CASES: MAM V. THE MINISTER FOR JUSTICE AND EQUALITY AND KN V. THE MINISTER FOR JUSTICE AND EQUALITY (REFUGEE FAMILY REUNIFICATION)**

In both of these cases, the Minister for Justice and Equality refused family reunification applications from individuals, who had been granted refugee status under the *Refugee Act 1996* and subsequently naturalised as Irish citizens, on the ground that they were no longer entitled to 'refugee' family reunification since

becoming Irish citizens. The Minister had previously granted 'refugee' family reunification in these circumstances. In its judgment handed down in March 2019, the Court of Appeal found that the declarations of refugee status had automatically ended by operation of law once they acquired Irish citizenship and that, as such, they could not succeed in their applications for 'refugee' family reunification which is not subject to sponsorship requirements and income thresholds. This is now being appealed to the Supreme Court and the Commission was granted permission to intervene as *amicus curiae* at this stage in July 2019.

**Outcome:** The appeals were heard in February of 2020. A decision from the Supreme Court has been delivered.

**CASE: DIGITAL RIGHTS IRELAND LIMITED V. THE MINISTER FOR COMMUNICATIONS, MARINE AND NATURAL RESOURCES, THE MINISTER FOR JUSTICE, EQUALITY AND LAW REFORM, THE COMMISSIONER FOR THE GARDA SÍOCHÁNA, IRELAND AND THE ATTORNEY GENERAL (DATAE PROTECTION)**


The case raises issues regarding the scope of the application of the EU Charter of Fundamental Rights (the 'Charter') and the Court of Justice of the European Union's jurisprudence on privacy rights; the substantive application of the proportionality principle and the relationship between the Charter, the Constitution and the ECHR.

**Outcome:** These proceedings are ongoing.



# STRATEGIC PRIORITY 2: **Influence legislation, policy and practice**

## OBJECTIVES

- » Hold government, public bodies, agencies and businesses to account;
  - » Continue to develop evidence-based decision-making through an active and ongoing research programme; and
  - » Use our enforcement powers including conducting an inquiry as most appropriate and proportionate, and move to enforcement of the Public Sector Equality and Human Rights Duty.
- 

## Policy Statements and Submissions

Making recommendations to the Government and policy makers to strengthen and uphold human rights and equality in the State is central to our mandate. In 2019 we made specific submissions to Government and Oireachtas Members on the following issues:

### The Electoral Acts and civil society space in Ireland

Concern that the application of the amended 1997 *Electoral Acts* may be having a chilling effect on the funding and activities of civil society organisations involved in legitimate advocacy led the Commission to issue recommendations in January 2019 to Oireachtas Members. The Commission set out the need for a review of the *Electoral Acts* to ensure an enabling legal framework and a conducive political and public environment for human rights defenders and to ensure individuals, groups, civil society organisations and national institutions can freely carry out activities, on a legal basis.

#### In-focus: Establishment of an electoral commission

In March 2019 the Commission published its recommendations to Government calling for an electoral commission to be established. The Commission proposed that:

- » The electoral commission should have a mandate to address the use of discriminatory rhetoric and hate speech in political campaigning by developing and promoting standards in political discourse during elections and referendums.

- » The electoral commission should set and monitor standards for the use of polling stations, which ensure people's right to vote. Persons with disabilities should participate in the setting these standards. This recommendation was informed by the thematic work on political participation undertaken by the Disability Advisory Committee.

- » The electoral commission should have a policy development role. Its mandate should promote more equal political participation, and specifically for groups who face barriers.

### Preventing and Combating Violence Against Women

March 2019 saw the ratification by Ireland of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention). The Istanbul Convention entered into force in Ireland on 1 July 2019.

On the day it came into force, the Commission published a policy statement setting out actions required to ensure its effective implementation across a range of areas including: access to specialist support services; access to justice for victims; combatting violence against specific groups of women such as women with disabilities, women from Traveller and Roma communities, LGBTI+ women and women in institutional settings; data collection and reporting mechanisms on violence against women; and promotion of gender equality.



## **Review of the *Prohibition of Incitement to Hatred Act 1989***

In December 2019, the Commission made its submission to Government on the need for robust reform of this legislation allied with a broader range of measures responding to hate speech.

Courts Service figures quoted in the paper show that since 2000, there have been 44 prosecutions under the 1989 Act, resulting in just five convictions, two of which resulted in imprisonment. Of the 44 prosecutions initiated under the 1989 Act, 22 cases were struck out or dismissed by the court and seven were withdrawn by the Director of Public Prosecutions.

The Commission has consistently voiced concerns about the effectiveness of this legislation, as have international human rights and equality monitoring bodies, which have criticised the legislation's limited scope.

## **Human Rights and Equality Treaty Monitoring**

As the national human rights institution, the Commission's monitoring of Ireland's human rights situation and the recommendations we provide inform treaty-monitoring bodies' assessments of how Ireland is meeting its obligations under international human rights conventions.

## **Oral Statement to the UN Human Rights Council**

In March the Chief Commissioner made an oral submission to the Human Rights Council during the 40th regular session in response to the visit to Ireland by the Special Rapporteur on the sale and sexual exploitation of children.



Chief Commissioner Emily Logan meets with Garda Commissioner Drew Harris, May 2019



## UN Universal Periodic Review– Mid-Term Review of Ireland.

This submission, made in April 2019 to the UN provided information on the State's progress in implementing the recommendations made by the Human Rights Council to Ireland in 2016 arising from the Universal Periodic Review (UPR), as part of the mid-term review of Ireland's second UPR cycle.

## Implementation of the European Social Charter

In May 2019, The Commission made a submission to the European Committee of Social Rights of the Council of Europe to inform its annual review of Ireland under the European Social Charter. The Commission responded directly to Ireland's 16th National Report to the European Committee of Social Rights on the implementation of the European Social Charter. The report and the Commission's response focused on children, families and migrants. The Commission also highlighted that Ireland continues to hold significant reservations, including on the right to housing (Article 31 (1-3)).



Commission members Tony Geoghegan and Salome Mbugua attend the CERD Delegation in Geneva, November 2019

## **In-focus: Convention on the Elimination of Racial Discrimination (CERD)**

One of the statutory functions of the Commission is to encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person.

On 2 - 3 December 2019, the UN's expert Committee on the Elimination of Racial Discrimination in Geneva examined Ireland's record in eliminating racial discrimination.

In July, the Commission as Ireland's independent national human rights and equality institution, made a submission to the Committee on the 'List of Themes' for their examination of Ireland.

Then in November the Commission submitted its independent 'shadow' report to the UN, to inform their questioning of Ireland.

This comprehensive report assessed Ireland's performance since 2011 on combatting racial discrimination, making over 150 recommendations for State action and drew from our consultations with young people, civil society and others.

Learn more about our youth consultation '*Be Heard on CERD*' on page 66.

Commission member Salome Mbugua led the Commission's delegation in Geneva alongside Commission member Tony Geoghegan. Salome Mbugua appeared before the UN Committee to present

the Commission's findings and recommendations orally ahead of Ireland's detailed examination.

As the CERD examination progressed in Geneva, the Commission hosted a web-streaming event at our offices and produced thematic fact sheets, an easy to read document and social media content which promoted our work on this area.

On 13 December the UN Committee published its "Concluding Observations" to the State. The UN recommendations offer a clear approach to steps the State should take to combat racial discrimination recommending legislative, institutional and policy changes. The Commission particularly welcomed the UN's focus on tackling racial discrimination across areas of housing, education, healthcare provision and the labour market and its call for a significant review and renewal of Ireland's equality legislation, which protects against discrimination around employment and in accessing goods and services.

The Commission also welcomed the Committee's call, in line with the Commission's recommendations, for the development of an alternative reception model for those seeking international protection and for concrete steps to be taken to phase out the Direct Provision System.



## Ireland and the Convention on the Elimination of Racial Discrimination

Submission to the United Nations Committee  
on the Elimination of Racial Discrimination on  
Ireland's Combined 5<sup>th</sup> to 9<sup>th</sup> Report

October 2019



Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas  
Irish Human Rights and Equality Commission

“ Our commitment to  
human rights and equality  
cannot be passive, it cannot be  
taken for granted, it must be  
earned through action. State  
leadership is required to ensure  
that people have their rights  
guaranteed, without distinction  
as to race, colour, or national or  
ethnic origin.”

– Commission Member Salome Mbugua



## Committee for the Prevention of Torture

A delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out their seventh visit to Ireland from 23 September to 4 October 2019. The Commission met with the delegation at the start of their visit, which focused on places of deprivation of liberty including prisons, mental health establishments, police stations and social care homes. The CPT's delegation examined the treatment of patients in three psychiatric facilities and, for the first time in Ireland, residents with intellectual disabilities in social care establishments.



## Evidence to Inform Policy and Practice

The Commission's research programmes aim to provide evidence for equality and human rights monitoring and to inform development of policy in the area of equality and human rights.

### Research Programme on Human Rights and Equality

2019 saw the publication of two further research reports arising from the Commission's Research Programme on Human Rights and Equality with the Economic and Social Research Institute (ESRI). Also during 2019 work commenced, within this research programme, on approaches to monitoring social rights, focused in the first instance on decent work.

#### In-focus: Caring and Unpaid Work in Ireland

Ireland has the third highest weekly hours of unpaid work for both men and women across EU Member States. This was one of the core findings of new research on 'Caring and Unpaid Work in Ireland' published in July.

The report from the Commission and the ESRI examines Irish data to investigate involvement in unpaid work in the areas of childcare, care of older adults or those with a disability, and housework. It also looks at how people's involvement has changed over time, and how Ireland compares to other EU Member States.

Among the findings of this research was that:

- » 45% of women and 29% of men provide care for others on a daily basis;
- » Adults in Ireland spend an average of 16 hours per week on caring and 14.5 hours on housework;
- » There is significant and persistent imbalance in Ireland between men and women when it comes to unpaid work and caring.

The Commission has recommended that Article 41.2 of Ireland's constitution be amended rather than deleted to recognise the value of unpaid care work in Ireland, and the public good provided by care work within and by families.

A technical report on *European Survey Data on Attitudes towards Human Rights and Equality* was published in December 2019 by the Commission and the ESRI. This report maps the availability of Irish data on attitudes to equality and human rights issues from European surveys carried out from 2000 to 2018. This report identifies sources of information which can be harnessed to develop evidence-based policy and by researchers more generally.

### Partnership with the Irish Research Council

Arising from a research call in 2018, the Commission and the IRC continued in 2019 to co-fund a study on socio-economic rights entitled '*What works? Sharing best practice in how civil society organisations use the internet in organising and building for socio-economic rights*', led by Dr Aileen O'Carroll, NUI Maynooth and Dr David Landy, Trinity College Dublin.

A further joint IHREC-IRC funding call on *Combating Racism and Promoting Intercultural Understanding* was launched in June 2019 as part of the Collaborative Alliances for Societal Challenges (COALESCE 2019) research programme 2019. The successful application, which was announced in December, focuses on Irish Travellers' Access to Justice and is being carried out by Dr Amanda Haynes of the University of Limerick. The 15-month, mixed method study will combine sociological and legal research.

During the year, two research networks co-funded through the Irish Research Council's New Foundations Network progressed:

- » *'Disability / Visibility: An interdisciplinary conference exploring Disability on the island of Ireland', PI: Professor Eilíonóir Flynn, National University of Ireland Galway*
- » *'Irish Consortium for the Promotion of Women in Peace Mediation and Negotiations', PI: Dr Heidi Riley, University College Dublin*

## Other Commissioned Research

A number of other research studies commissioned during 2019, were ongoing at the end of the year.

These included:

- » Three studies on the status of specific Convention of the Rights of Persons with Disabilities (CRPD) rights in Ireland focusing on: Independent Living and participating in the community (Article 19); Standard of living and social protection (Article 28); and Work and employment (Article 27);
- » A study of discrimination on the 'Housing Assistance Ground' under the *Equal Status Acts 2000-2018*; and
- » A scoping study on climate change and human rights in Ireland.





## Promoting Implementation of the Public Sector Equality and Human Rights Duty

All public bodies in Ireland are required to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans.

This Public Sector Equality and Human Rights Duty has been part of Irish law since 2014, and is set out in Section 42 of the *Irish Human Rights and Equality Commission Act 2014*. The Irish Human Rights and Equality Commission has a mandate to give guidance to, and encourage, public bodies in developing policies and good practice in relation to human rights and equality.

### Engaging with the Public Sector

Throughout 2019 the Commission continued its work to promote implementation of the duty across the Irish public sector. During the year, we worked closely with the Department of Housing, Planning and Local Government to include the Public Sector Duty into their Guidelines for Local Authorities in the Preparation of Corporate Plans 2019-2024. The incorporation of the Duty in the guidelines was very effective as it resulted in a high number of local authorities including the Duty in their corporate plans.

We made a presentation on the Duty to the Traveller Oireachtas Group in June which saw discussion with elected representatives on how the Duty can support progress on some of the issues affecting the Traveller community, in particular in the area of accommodation and education.

We also presented to senior staff of the Department of Children and Youth Affairs and of the Department of Transport, Tourism and

Sport as these departments were developing their Statements of Strategies. In December we presented to the County and City Management Association to all Directors of Corporate Service across 31 local authorities.

The Commission is represented on the Monitoring Committee of three Operational Programmes for the European Structural and Investment Funds 2014-2020: Programme for Employability, Inclusion and Learning (PEIL); Border, Midland and Western Regional Operational Programme and Southern and Eastern Regional Operational Programme.

We have a specific role in monitoring adherence to the Horizontal Principle of equality and non-discrimination and to prepare an annual equality monitoring report for each Programme. This monitoring role continued in 2019 and this high-level engagement presented an opportunity to highlight the Public Sector Duty with various public bodies who are beneficiaries of this funding.

The Commission also participates in the Our Public Service 2020 Steering Group for Action 16 on promoting equality, diversity and inclusion.

### In-focus: Publication of Guidance on the Public Sector Duty

Detailed guidance for public bodies on implementing the Public Sector Equality and Human Rights Duty was published by the Commission in March 2019. Copies of the guidance were sent to all public bodies and organisations across the State.

Effective implementation can positively transform how public bodies engage with members of the public, and their own staff, enhancing delivery of public services and workplaces.

Part one of the guidance provides an overview of the Duty, and its context. Part two sets out the three steps that a public body must take to implement the Duty in line with its statutory obligation. These steps identify key actions that an organisation can undertake to assess, address and report on equality and human rights in the context of its purpose and functions.

The Duty is an ongoing obligation on public bodies, which must be incorporated as part of an organisation's overall strategic planning cycle. Public bodies are also asked to account for their actions to address the human rights and equality impact of their work as it relates to members of the public, people who use their services, and their staff, in their annual report.

Timed with the launch of this guidance, the Commission also published a new webpage of resources including six case-study videos.

## Promoting the Guidance

To support dissemination and awareness of the guidance, from 25 March – 6 May we ran a six-week awareness campaign focused on public sector employees, resulting in over 8,300 unique visitors to the webpage in the period.

Also during the year we organised four information events on the Guidance for public bodies and civil society, three in Dublin and one in Tralee. Over 150 people from a diverse range of public bodies were in attendance including government departments, local authorities, and the education and health sectors. Each event included an input from a public body that had piloted the implementation of the duty, giving practical insights from this experience.

We also hosted over 40 regulators and oversight bodies at a 'Roundtable Event' at the end of November to build implementation of the Duty through the work. Keynote presentations from international and national speakers, including HM Inspector of Constabulary and Fire and Rescue Services, Wendy Williams and Elaine Cassidy, Director General of the Office of the Ombudsman were followed by roundtable discussions with senior representatives from regulatory and oversight bodies.



## Professional Diploma Student Bursary Scheme

In May 2019, the Commission announced the launch of the fourth year of the student bursary scheme of the Professional Diploma in Human Rights and Equality at the Institute of Public Administration. The aim of the bursary scheme is to support capacity within public bodies and civil society to advance effective implementation of the Public Sector Duty. Ten bursary places were made available and the scheme supported applications from a wide variety of organisations and individuals working in the public sector and civil society. The Professional Diploma continues to flourish and saw a record 58 participants in 2019.

## Monitoring Compliance with the Duty

In November 2019, the Commission conducted a survey as part of its work to support and monitor the implementation of the Public Sector Duty by public bodies. Five years since the introduction of the Public Sector Duty into Irish law, the survey aimed to provide information on the level of implementation within the civil and public service. There was a great response to the survey by public bodies and its findings will inform the Commission's future work on the Public Sector Duty.



## Equality Reviews and Equality Action Plans

Equality Reviews are carried out under section 32 of the *Irish Human Rights and Equality Commission Act 2014*. The Commission holds the statutory power to invite public or private undertakings to carry out a review of equality of opportunity generally, or a particular aspect of discrimination under Ireland's anti-discrimination legislation, namely the *Employment Equality Acts* and/or the *Equal Status Acts*.

The choice of those invited to carry out equality reviews and the focus of those reviews, is made at the discretion of the Commission in light of its strategic priorities. The Commission can also invite public or private bodies to prepare and implement Equality Action Plans to focus on specific areas emerging from equality reviews.

## Equality Reviews

During 2019 we issued 33 invitations to carry out an Equality Review. All of these were ongoing at the end of the year:

### Appropriate Accommodation Services for Travellers

In June, the Commission invited each of the 31 county and city councils to undertake a review of their provision of Traveller accommodation. The equality reviews focus on failures nationally to draw down ring-fenced capital budget to meet obligations on Traveller specific accommodation. The local authorities were invited to conduct a review of the practices, procedures and other relevant factors in relation to the drawdown of capital funding and the provision of Traveller-specific accommodation services.

### Asylum Seekers and Refugees Accessing Bank Accounts

In June, the Commission invited Bank of Ireland and Permanent TSB, to conduct Equality Reviews of their practices and procedures in relation to the provision of bank accounts to refugees and asylum seekers.



Commission staff Karen Joynt, Patrick Kalisa and Jack Gibson attend the Ploughing Championships, September 2019

## Equality Action Plans

During 2019, following the earlier completion of equality reviews we issued six invitations to prepare and implement Equality Action Plans, all of which were ongoing at the end of the year:

### Non-EEA Nationals Access to Local Authority Accommodation Services in Dublin

We invited the four Dublin Councils (Dublin City Council, Dún Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council) to prepare and implement Equality Action Plans to ensure that less favourable treatment on the ground of race in access to homeless and social housing services cease.

### Experience of Service Users who Access Opioid Treatment Service

We invited the HSE to prepare and implement an Equality Action Plan to ensure the practice of non-direct supervision of urine samples is rolled out in addiction treatment services nationally.

### Experience of Non-Nationals Accessing Free General Practitioner Services

In 2019, the Commission invited the HSE to prepare and implement an Equality Action Plan on the provision of interpretation for people accessing GP services.

## Preparing Codes of Practice

The Commission also has a legal function to prepare codes of practice to further the protection of human rights, the elimination of discrimination and the promotion of equality of opportunity.

The provisions of these codes are admissible in evidence and may be taken into account in proceedings before a court, the Workplace Relations Commission or the Labour Court.

During 2019 the Commission concluded the following Codes of Practice, which are awaiting Ministerial approval:

- » A draft *Code of Practice on Equal Pay*;
- » A revised *Code of Practice on Sexual Harassment and Harassment at Work*.

During the year the Commission also commenced work on:

- » A *Code of Practice on Rights of Families at Inquests*
- » A *Code of Practice on Reasonable Accommodation in Employment*



## In-focus: Brexit-focused Work of the Joint Committee

The Joint Committee of the Northern Ireland Human Rights Commission and the Irish Human Rights and Equality Commission was established under the Belfast (Good Friday) Agreement, as a North-South forum for consideration of human rights issues on the island of Ireland. The Joint Committee continued its focus on Brexit through 2019.

In January, the Joint Committee appeared before the Oireachtas Joint Committee on Justice and Equality. The two Chief Commissioners highlighted areas in which there are significant gaps in the protection of human rights and equality under the proposed UK Withdrawal Agreement. These are:

- » The extent of protections provided by the UK Government's "no diminution of rights" commitment;
- » The UK's decision to no longer be bound by the EU Charter of Fundamental Rights;
- » The legal basis for the Common Travel Area (CTA);
- » EU Citizenship rights;
- » Future co-operative justice arrangements;
- » Possible future divergence on rights protections;
- » The strength of the proposed dedicated mechanism.

The Joint Committee held meetings in Armagh in March with cross-border community groups, organisations working on human rights issues, politicians, and police within the local area to discuss human rights issues.

The Joint Committee published new research in August identifying the potential human rights and equality gaps arising in justice arrangements between the UK and the EU. The report 'Evolving Justice Arrangements Post Brexit', which was prepared by academics at the University of Glasgow, the University of Strathclyde and University Belfast, warned that should the UK leave the EU without a deal, there would be immediate consequences for the UK's ability to participate in EU-led justice and security measures. The report made thirteen separate recommendations for a future UK-EU security and justice relationship that also prioritises human rights and equality protections.

UN High Commissioner for Human Rights Michelle Bachelet met with the Joint Committee in Dublin in October. Mme Bachelet set out her view that a generation of human rights and equality protections provided under the Belfast (Good Friday) Agreement must not be placed at risk post-Brexit.





Meeting of the Joint Committee (Irish Human Rights and Equality Commission and Northern Ireland Human Rights Commission), October 2019

“ I wanted to hear about the consequences beyond trade related to Brexit. We will be following and monitoring the situation with respect to human rights. Globally we are seeing a pushback on human rights, and we must work proactively to ensure positive responses to these challenges.

– UN High Commissioner for Human Rights Michelle Bachelet




UN High Commissioner for Human Rights Michelle Bachelet meets with Emily Logan and Les Allamby of the Joint Committee, October 2019

# STRATEGIC PRIORITY 3:

## **Engage with key organisations to address discrimination and human rights abuses**

### **OBJECTIVES**

- » Increase community engagement in the work of the Commission;
  - » Strengthen relationships with civil society and foster an enabling environment for human rights development, including through formal advisory committee structures; and
  - » Engage with any organisation relevant to advancing our mandate and strategic priorities.
- 

## Civil Society Forum

During the year two civil society forums were organised which brought together civil society and community organisations to engage with the Commission, and to exchange information and experience on key equality and human rights concerns.

» In Dublin in May, the forum focused specifically on combatting racial discrimination in Ireland with 40 civil

society representatives contributing to our reporting to the UN on Ireland's obligations under the UN Convention on Eliminating Racial Discrimination (UNCERD).

» In Galway City in October, the forum focused specifically on housing and homelessness issues, bringing together more than 25 organisations from across the city and county.



Fiona Blaney (Galway City Community Network), Marian Moloney (Access for All) and Imelda Gormally (Galway City Partnership) and Guide Dog Leon at Galway Plenary, October 2019



## Our Public Space

The Commission offers the use of its fully accessible public space to civil society organisations that promote human rights and equality. In 2019, alongside the Commission's own use of this versatile space, there were 58 external events involving nearly 3,000 people organised by a wide variety of civil society organisation addressing a range of human rights and equality related topics.



Commission hosts New Communities Partnership event, 'Empowering and Representing Ethnic Minorities and their Organisations in Ireland', May 2019



Meeting of the IHREC Disability Advisory Committee, January 2019





Commission hosts Wezesha AkiDWA event, 'Lifting the Stigmas Against Migrants', January 2019



Chief Commissioner Emily Logan meets with the South African Human Rights Commission delegation, September 2019

## In-focus: Disability Advisory Committee

The members of the Commission's Disability Advisory Committee (DAC) were appointed in December 2018 through an open public competition. The role of the DAC is:

1. to assist and advise the Commission on matters related to its function of keeping under review the adequacy and effectiveness of law and practice in the State relating to the protection of people with disabilities;
2. to advise the Commission on the fulfilment independent monitoring role under the UN Convention on the Rights of Persons with Disabilities (CRPD).

The Committee met five times during 2019 and in its work has considered specific rights set out in the UN Convention, including:

- » the right to political participation;
- » the right to independent living and participation in the community;
- » the right to participate in monitoring the Convention;
- » the right to participate in the implementation of the Convention; and
- » the right to inclusive education.

DAC members contributed to the development of, and participated in, our public awareness campaign focused on disability entitled 'Because We're All Human. Means We're All Equal'. DAC members also briefed a delegation from the South African Human Rights Commission on the internationally recognised good practice that we have developed around Article 33 CRPD.



Disability Advisory Committee member Eliona Gjecsaj participates in the Commission's 'All Human All Equal' campaign, June 2019

## The Worker and Employer Advisory Committee

The Commission's Worker and Employer Advisory Committee is made up of representatives nominated by the Irish Congress of Trade Unions (ICTU) and the Irish Business and Employers' Confederation (IBEC) and advises the Commission on issues related to human rights and equality

in the workplace and the world of work. The Committee met four times in 2019 and addressed a range of issues including the right to decent work and reasonable accommodation in the workplace for people with disabilities, contributing, alongside the Disability Advisory Committee, to the Commission's 'Achieving Equality at Work: Reasonable Accommodation in Practice' Conference.



John Bosco Conama speaks at Commission's conference 'Achieving Reasonable Accommodation at Work', October 2019



## Using our Grants Scheme to Support Civil Society and Rights Holders

In 2019, €350,000 was made available to support projects nationwide focused on advancing socio-economic rights across the areas of housing and accommodation, health and decent work.

The 2019 Grants Scheme was launched in March, following which we held information sessions on the Scheme in Limerick, Galway, Carlow and Dublin. One hundred and twelve applications were reviewed and assessed in May, and 28 grants were awarded. Induction seminars for the 2019 grants recipients were held in September.

See the table on the following pages for information on the 28 projects funded under the 2019 Grants Scheme.



Commission Grants Scheme Awardees, September 2019

Organisation	County	Project Description
<b>Housing</b>		
Blanchardstown Traveller Development Group	Dublin	<b>Strengthening Travellers capacity to advocate for accommodation rights.</b> This project aims to provide training on accommodation rights to Travellers in the Greater Blanchardstown area and to enable them to provide confident peer support to other Travellers in the area on their rights.
Focus Ireland Partner organisations: Threshold, De Paul	Dublin	<b>Ensuring a home for all.</b> This is a collaborative policy research project to explore how the Public Sector Equality and Human Rights Duty can be better used to tackle the inequality and discrimination faced by migrant households, in terms of accessing housing, and homeless services. It aims to present findings that will enhance their experience and outcomes for homeless migrants interacting with State and NGO services.
Galway Simon Community Partner organisation: Cope Galway	Galway	<b>Amplifying voices.</b> This collaborative project will develop a system to strengthen the capacity of homeless people individually and collectively to advocate for and vindicate their rights; and enable them to engage with statutory agencies and public bodies to ensure these bodies meet their obligations under the Public Sector Equality and Human Rights Duty.
Garryowen Development Project, Limerick Partner organisations: Southill Hub, Our Lady of Lourdes Community Services Group, Limerick City CDP, NOVAS, and Community Law & Mediation Centre	Limerick	<b>Human Rights and Homelessness in Limerick.</b> This collaborative project aims to raise awareness of homelessness and housing as a community and human rights issue by commissioning a report on Homelessness and Human Rights in Limerick taking into account the obligations set out in the Public Sector Equality and Human Rights Duty and the lived experience of people. The findings will be presented to a seminar of people affected by homelessness and inadequate housing. Follow-up training will be provided to community organisations and groups on housing rights and engagement with local State agencies will take place.
Inclusion Ireland	Dublin	<b>Promoting the Right to Housing for People with Disabilities.</b> A working group of people with intellectual disabilities will lead the development of a policy paper on housing, informed by an equality and rights analysis, and incorporating the voice of people with disabilities. The project will lead to accessible resources for people with disabilities to claim their right to housing and a conference to share the learning.
Mercy Law Resource Centre	Dublin	<b>Overcoming barriers to accessing adequate housing and homeless provision for minority groups.</b> Mercy Law Resource Centre will produce a research report informed by its own case and policy work, setting out the barriers experienced by minority groups in accessing housing and homelessness entitlements and producing a set of positive recommendations for local authorities and Government departments within the context of the Public Sector Equality and Human Rights Duty. The report's findings will be launched at a half-day conference.

Organisation	County	Project Description
<b>Health</b>		
Age Action	Dublin	<b>It's My Life.</b> Age Action will develop a report on participatory dialogues with older people that will provide an evidence base for two policy position papers, which will apply a human rights and equality perspective to the provisions of the forthcoming Home Care Scheme (home support) and the implementation of <i>Assisted Decision Making (Capacity) Act 2015</i> .
All Ireland Institute of Hospice and Palliative Care Partner organisations: Sue Ryder UK, Irish Hospice Foundation	Dublin	<b>Human Rights in Palliative and End-of-life Care for Health Care Professions.</b> This collaborative project aims to create understanding of the human rights challenges associated with palliative care. It will carry out research to identify competence needs of health care professionals in palliative care on human rights and autonomy in shared and ethical decision-making at the end of life. It will deliver workshops to health care professionals based on the needs identified in collaboration with people with palliative care needs and carers. An instructor guide and video resource will also be developed for future training delivery.
AMAL – Muslim Women's Group	Dublin	<b>A Mother is Born Too.</b> AMAL will carry out qualitative research from a human rights and equality perspective on the barriers faced by Muslim women in accessing maternity services in Ireland with the goal of producing findings that inform AMAL's responses to the issues raised and the work of health service providers.
Cairde	Dublin	<b>Mental Health Peer Advocates for Minority Ethnic Communities.</b> This project aims to reduce inequalities in the area of access to mental health services and mental health outcomes for minority ethnic communities. It will build the capacity of these communities to address the issues of accessible mental health services, through a community development and human rights training programme for Mental Health Peer Advocates who can support vulnerable individuals from minority ethnic groups, address mental health stigma and support and engage with service providers and policy makers.
Citywide Drugs Campaign	Dublin	<b>Stigma Awareness Training.</b> This project will address the serious gap in training for health care professionals when engaging with people with experience of drug use. A human rights-based participatory training programme will be developed with people with experience of drug use. It will be piloted with healthcare professionals (co-delivered by people with experience of drug use). A revised approach will inform the development of a train-the trainers' model and resources.
European Anti-Poverty Network	Dublin	<b>A Community Approach to developing Health Inequalities.</b> This project will focus on the right to health and strengthening how national health strategies address health inequalities informed by conversations with communities and groups who experience or are most vulnerable to health inequalities. These conversations will be compiled into a report, the learning shared at a roundtable and presented to health policy-makers.

Ifrah Foundation, Monaghan	Monaghan	<b>Outreach to Somali Community on FGM.</b> The aim of the project is to increase the number of women from the Somali Community accessing free medical and psychological care for Female Genital Mutilation. A leaflet on (FGM), in Somali, will be produced outlining the services available at the Irish Family Planning Association's HSE-funded free FGM Treatment Service. Ifrah will also train volunteer ambassadors to outreach to and increase awareness among the Somali Community of the negative health consequences of FGM, the law in Ireland prohibiting it, and the services available for survivors.
Laois Traveller Action Group  Partner organisations: Offaly Traveller Movement, Longford Community Resources Ltd, Meath Primary Healthcare, Westmeath Community Development Primary Healthcare	Laois, Offaly, Longford, Meath, Westmeath	<b>Travellers Connecting for Better Services.</b> The aim of this collaborative project is to develop the capacity of 24 Travellers in six counties to facilitate modules on Cultural Awareness and Health Inequalities to services and agencies such as the HSE. These modules will highlight the disparities in Traveller Health and allow services to become more aware and build cultural competency in relation to service delivery and access to information.
Mental Health Reform	Dublin	<b>Speak Out for Mental Health.</b> Mental Health Reform will deliver the 'Speak Out for Mental Health' human rights-based capacity-building training to 30 people who have experience of mental health difficulties and/or family members/supporters. The aim of the project is to empower participants to be able to advocate for improvements in the mental health system.
National Family Support Network	Dublin	<b>Health Outcomes of adult family members of people who misuse drugs or alcohol.</b> This participatory research project seeks to identify the health needs and outcomes of adult family members of people who misuse drugs/ alcohol and to identify the impact of support-based interventions on these outcomes. The research findings will be launched at a seminar and will be used to inform development of human rights based policy and practice, in the context of family support policy and services in Ireland.
National Youth Council of Ireland	Dublin	<b>Supporting Mental Health of Minority-Ethnic Youth Leaders.</b> NYCII will organise a short residential seminar to support ethnic-minority youth leaders to overcome the challenges they face in relation to their own mental health, as they respond to the diverse needs of their community, and the difficulties they face particularly relating to racial discrimination.
Transgender Equality Network Ireland	Dublin	<b>Speaking from the Margins too.</b> TENI will conduct a research project that will re-examine the mental health and well-being of the community of trans and gender non-conforming people in Ireland building on research carried out in 2013. The research will make policy recommendations for the development of legislation, policy and practice in relation to mental health services for trans people from a human rights and equality perspective.
Youth Work Ireland	Dublin	<b>Young People's Rights to Sexual Health Information and Education.</b> Youth Work Ireland will organise a national youth conference to raise awareness of the rights of rights of young people to accurate and inclusive sexual health education and information. The conference will give a voice to young people on these issues and have a particular focus on the sexual health rights of young LGBTI+ people, and young people with disabilities. The report and recommendations of the conference will be promoted and inform a wider communications campaign.

Organisation	County	Project Description
<b>Decent Work</b>		
Community Action Network	Dublin	<b>Public Procurement and the Right to Work.</b> CAN will carry out a human rights-based research project that will engage procurers, contractors, beneficiaries and communities who are part of its Community Benefits Forum projects. It will document the successes and challenges of the inclusion of a social clause in public procurement contracts for the purpose for making jobs available to people far from the labour market and make recommendations in the context of EU fundamental rights law and the Public Sector Equality and Human Rights Public Sector Duty.
Doras, Limerick	Limerick	<b>Employment Training for People from a Migrant Background.</b> Doras will undertake research to analyse what employment supports are most needed and most effective for supporting refugees, people in the direct provision system, and other at-risk migrants to secure decent work in Ireland. The research findings aim to contribute to the development of more tailored employment supports that are evidence-based and informed by best practice.
Early Childhood Ireland	Dublin	<b>Pathways to Better Prospects: Delivering decent work, terms and conditions for early childhood workers.</b> This research project will undertake an analysis of the professionalization, unionisation and formalisation of pay & conditions within other sectors in Ireland. It will document a baseline of where the early childhood care sector is currently at and will identify key milestones to ensure staff have stable and secure employment and take into account the role of the Public Sector Equality and Human Rights Duty. The research findings will be presented to national and international stakeholders at a conference.
Irish National Teachers Organisation	Dublin	<b>The lived workplace experience of LGBT+ teachers in Irish schools.</b> This project aims to highlight the right to equal opportunity and treatment of LGBT+ teachers in their workplace through the expression of the concerns, tensions and subtle discrimination on sexual orientation grounds through the medium of a docufilm. The film will be used in training and awareness events to engage all education stakeholders, most particularly school leaders/principals and school patrons, as well as to galvanise the support of other teachers.
Irish Organisation of the Unemployed	Dublin	<b>Accessing Decent Work.</b> The INOU's project will raise awareness of the right to decent work. It will consist of two regional workshops followed by a national seminar, which will facilitate dialogue on decent work and build people's awareness and understanding of their right to decent work and how it relates to other rights. The learning will feed into the development and implementation of policies underpinning activation and employment services.



Kilkenny Traveller Community Movement  Partner organisations: Kilkenny Leader Partnership	Kilkenny	<b>Traveller Access to Employment.</b> This project will carry out research to identify the scope and root cause of Traveller unemployment in Kilkenny city & county, in particular to map the typical journey through the educational/ training process of members of the community and to identify possible weaknesses in this process. This will allow the study to identify possible long-term strategies towards improving access to employment for the Traveller community in Kilkenny and develop a long-term strategy to achieve this.
Migrant Rights Centre Ireland	Dublin	<b>Decent work: Promoting the progression of migrant workers in low paid work and their horizontal integration into the labour market.</b> MRCI's research project aims to address discrimination faced by migrant workers and promote increased labour market integration by better understanding access, retention and progression routes for migrant works and documenting their needs. The findings will be presented to employer stakeholders and the State at a roundtable.
National Women's Council of Ireland	Dublin	<b>Workplace Equality, Economic Security and Decent Work for All Women.</b> NWCI's project aims expand access to legal protections for women in the workplace. It will establish a dedicated legal clinic on a pilot basis to advise women in matters directly related to employment discrimination and collate information on the issues they face, draw out key learnings, as well as commission legal research to identify gaps in employment law. The results will inform a Working Women's Bill of Rights to be launched at a closing event.
The National Platform of Self-Advocates	Dublin	<b>Improving Access to Paid Employment for People with Intellectual Disability.</b> The aim of this participatory research project is to support people with intellectual disabilities to guide, develop and deliver a research report with the support of a lead researcher. The report will establish the barriers to paid employment for people with intellectual disabilities from the perspective of both the rights holders and employers in three specific industries: retail, information technology and hospitality. It will also seek what solutions can best address these barriers and inform public policy and practice.

2019 also saw projects which were granted support under its 2018 Grants Scheme continue to deliver on their work. These projects are listed in **Appendix 7**.

# STRATEGIC PRIORITY 4:

## **Raise the quality and broaden the extent of the dialogue on human rights and equality issues**

### OBJECTIVES

- » Facilitate a strong and shared culture of respect for human rights, equality and intercultural understanding including through education, particularly of young people;
  - » Promote an understanding of human rights as inter-related and interdependent, with a particular emphasis on socio-economic rights; and
  - » Anticipate, identify and highlight issues so as to enable the Commission to respond appropriately to human rights and equality issues in the State.
- 

## In-focus: 'Because we're all human. Means we're all equal'

In June 2019, the Commission launched its national awareness campaign on disability rights. The campaign "Because we're all human. Means we're all equal" was aimed at challenging societal and individual attitudes that limit people with disabilities' participation in everyday life.

Entirely non-scripted, the campaign featured 13 interviews with people from across Irish society, sharing personal perspectives on everyday life and some of the barriers encountered when living with autism, an intellectual disability, complex needs, being blind, visually impaired, hard of hearing or Deaf, having a physical disability or mental ill-health.

The campaign ran in two phases, firstly from June 2019 across radio, cinema and online and secondly from December 2019 across TV, cinema and online.

- » Research evaluating the impact of the campaign, commissioned through RedC, found the campaign shifted attitudes in a positive direction.
- » 68% of people said there needs to be greater participation of people with disabilities in the workplace versus. Upon viewing the ad, this increased to 78%.



All Human All Equal Campaign

## The Commission in the Media

As part of our work in creating discussion and dialogue on human rights and equality issues, the Commission has proactively engaged with local, regional, national and international media.

In 2019, the Commission registered a significant rise in media coverage and engagement with our work.

This included two front page articles in national newspaper, four national newspaper editorials, and coverage across the country in regional press of stories such as the appointment of our Disability Advisory

Committee Members, our 2019 Grants Scheme, and our work in combatting racial discrimination.

The Commission was also active on the airwaves, with the Chief Commissioner and other Commissioners appearing in interviews focused on our work on RTE television, RTE radio, Newstalk, Today FM and Virgin Media.

Live radio interviews on programmes such as Today with Sean O'Rourke, RTE's Morning Ireland and Drivetime, Newstalk Breakfast or The Hard Shoulder with Ivan Yates, saw the Commission setting out and explaining our work to national audiences.





## Daft.ie breached anti-discrimination law in rental ads, workplace body finds

Property website breached sections of the Equal Status Acts, says WRC  
Case taken by Irish Human Rights and Equality Commission in 2016

UNKNOWN NAMES

Property website Daft.ie breached anti-discrimination law in rental ads, the Workplace Equality Commission (WEC) has found in a ruling published earlier this week.

The case was taken by the Workplace Equality Commission (WEC) in 2016 after it received reports that Daft.ie had breached the law.

The WEC found that Daft.ie had breached the law in its rental ads and in its workplace policies.

The WEC found that Daft.ie had breached the law in its rental ads and in its workplace policies.

## Human rights body concerned about abortion access

IRISH HUMAN RIGHTS AND EQUALITY COMMISSION

The Irish Human Rights and Equality Commission (IHREC) has expressed concern about the impact of the new abortion law on women's access to services.

The IHREC found that the new law could have a negative impact on women's access to services.

The IHREC found that the new law could have a negative impact on women's access to services.

The IHREC found that the new law could have a negative impact on women's access to services.

# Brendan: Give carers support for tough job



## STAR'S PLEA TO GOVERNMENT

TV HOST Brendan Courtney said that the Government must do more to support carers as parents, spouses and children are being forced to care for loved ones.



# I'm not drunk ..I have got a brain tumour

## Man gets €3.5k settlement from pub

BY GORDON DEEGAN

A PUB that turfed out a customer with a brain injury because staff thought he was drunk has paid him €3,500 in compensation.

settlement, which saw no admission of liability.

## Bank refused to let refugee open account because he was Syrian

Shane Phelan

LEGAL AFFAIRS EDITOR

A BANK has been ordered to pay €4,000 in compensation to a Syrian refugee after it refused to open a bank account for him on the grounds of his nationality.

WEC found two front-line staff at the bank "appeared to be oblivious to any policy that may have been in place to cover such a situation".

## Meath youths help break barriers

THE IRISH HUMAN RIGHTS AND EQUALITY COMMISSION

recently hosted an event bringing together more than 100 young people from across Ireland to collect their experiences and ideas towards eliminating all forms of racial discrimination.



Brian Doyle, Immanuel Jordan, Chloé de Fombelle, Chloé de Fombelle, Kiriya Joseph, with Emily Logan, Chief Commissioner of the Irish Human Rights and Equality Commission.



## Website and Social Media

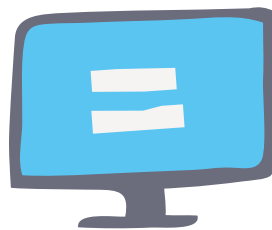
The Commission is active online through our website and social media channels.

### Website highlights 2019



**509,236  
page views**

an average of 42,436 per  
month



### Most visited pages

were on our webpages about  
equal treatment around  
employment (the EEA) and in  
accessing services (the ESA)



### Website traffic

peaked in November and  
December, driven by our “All  
Human, All Equal” disability  
rights campaign.



### E-newsletter

We also provided 12 monthly  
editions of our e-newsletter to  
update subscribers on our work.

## Social media highlights 2019



Twitter

**3,000,000**  
impressions

an average of 250,000 per  
month



LinkedIn

**275%**  
increase in followers

from 534 at the start of the  
year to 2002 by year end



Instagram

**461**  
followers

We added a new Instagram  
account in March which  
reached 461 followers by year  
end

## Followers/subscribers at the end of 2019

Twitter	8,875
Instagram	461
LinkedIn	2,002
Newsletter	1,169
<b>Total</b>	<b>12,507</b>

## Conferences and Events

### In-focus: Hearing from Young People Directly

Young people are at the forefront of some of the most pressing human rights and equality challenges in Ireland today. Therefore the importance of engaging with and listening to young people cannot be emphasised enough. Putting rights-holders at the centre of the way policies and decisions affecting their rights are made is a fundamental tenet of human rights, and a core part of our work as a Commission.

Ahead of Ireland's examination under the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD), we teamed up with the National Youth Council of Ireland (NYCI), to bring together young people aged 16–24 from a diverse range of backgrounds and communities, to discuss their experiences of racism and discrimination, and their ideas for how these can be tackled.

The consultation 'Be Heard on CERD: Ending Racial Discrimination in Ireland' took place in March, and empowered young people – including those living in direct provision, undocumented young people, members of the Traveller and Roma Communities and a diverse mix of ethnic minority and immigrant communities – to make their voices heard on issues affecting their lives.

A common theme throughout the discussions was the hurt young people experience when bystanders don't intervene when they are discriminated against. They spoke of the importance of allies, in particular youth workers.

“ The voice of young people is vital for change to happen and for our country to be more progressive, educated and compassionate. We are also sharing the power this way, and putting it in the hands of future generations, which is really exciting.

– Farah El Neihum, a young person attending the consultation.

There was a great sense of solidarity among the young people and a positive outlook for the future. One young person noted, “I gained a new experience and realised that I am not alone.”

While the focus on was hearing the views of the young people, others also spoke on the day including our Chief Commissioner Emily Logan, former Chair of the Committee on the Elimination of Racial Discrimination, Anastasia Crickley and Commission Member David Joyce.



Eric Ehigie at Commission's CERD Youth event, April 2019



## UN High Commissioner for Refugees speaks at the Commission

UN High Commissioner for Refugees Mr Filippo Grandi spoke at a public event co-hosted by the Commission and the UNHCR in July 2019. At the event, the High Commissioner discussed the protection and promotion of the rights of refugees in Ireland and launched UNHCR Ireland's Refugee Employment Toolkit, which aims to help businesses in Ireland employ refugees and asylum seekers.

## Launch of De-institutionalisation Report

The Commission also partnered with the Fundamental Rights Agency (FRA) in July for the national launch of the FRA de-institutionalisation report, and to host a seminar on 'De-institutionalisation and the implementation of the CRPD Article 19: Independent Living and being included in the Community'.

## South African Human Rights Commission Delegation

The Commission welcomed an eight-person delegation led by the South African Human Rights Commission (SAHRC) to our offices for a day-long visit in September to specifically learn from our experience of establishing an Article 33 monitoring function. The delegation held detailed discussions with Members of the Disability Advisory Committee.

## Ploughing Championships

Conversations with hundreds of people of all ages and backgrounds were held at the National Ploughing Championships in Ballintrane, Fenagh, Co. Carlow on 17 – 19 September. The Commission team, including our Chief Commissioner used the days as an opportunity to engage with the public to name human rights and equality issues affecting their lives or others', and raised the profile the work of the Commission with people from across the country.



High Commissioner for Refugees Filippo Grandi and Chief Commissioner meet Rohingya refugee Jamalida Rafique (11) during Mr Grandi's official visit to Ireland, July 2019

## Reasonable Accommodation in Practice

The Commission organised a major national conference on 'Achieving Equality at Work: Reasonable Accommodation in Practice' on 7 October, International Day for Decent Work. With over 180 people in attendance this event showcased the need for reasonable accommodation to become a central part of everyday employment policy and practice for people with disabilities. It took place immediately after a Supreme Court decision in the case of Marie Daly brought new clarity on the issue of employer's responsibilities in relation to reasonable accommodations. The Conference was opened by Finian McGrath TD, Minister of State for Disability Issues and Stefan Trömel, International Labour Organisation. The UNCRPD recognises that people with disabilities themselves are central agents of change in challenging inequality in every sphere of life, including employment, and this event brought together people with disabilities, employers, recruiters, trade unions, disability organisations and policy-makers to do just that; to learn from each other and work through the practicalities of making reasonable accommodation a reality. The success of the event also helped to raise the issue of reasonable accommodation nationally through media coverage.



Vivian Rath speaks at Commission's conference 'Achieving Reasonable Accommodation at Work', October 2019

## EU Equality Data Guidelines

A seminar on the EU Equality Data Guidelines was hosted by the Commission in October 2019 attended by senior research, data and policy actors from Government Departments, public bodies and civil society organisations, including representatives from Northern Ireland. Presentations were made by: Dr Tania Burchardt, London School of Economics; the Fundamental Rights Agency; the UK Office for National Statistics and the Finnish Department of Justice.

## Inaugural Annual Lecture

International Human Rights Lawyer Professor Philippe Sands QC delivered the inaugural Human Rights and Equality Lecture in December 2019, with an address on the future of human rights entitled 'Beyond East West Street: the Path of Human Rights'.

The lecture and Q&A that followed examined the future of individual and group rights, in the context of the Belfast (Good Friday) Agreement and Brexit, the ECHR and the Universal Declaration, socio-economic rights, and the rise globally of nationalism, populism and identity politics. Over 250 people attended the event which was live-streamed and promoted on social media, and later podcasted.



Philippe Sands speaks at the inaugural Human Rights and Equality Lecture, December 2019

## Engagement in International Networks

The Commission is a member of: the European Network of Equality Bodies (Equinet); the European Network of National Human Rights Institutions (ENNHRI); and the Global Alliance of National Human Rights Institutions (GANHRI). Through 2019, we continued to contribute to and benefit from active engagement in these networks.

### ENNHRI

March saw the Commission take up the role of Chair of the European Network of National Human Rights Institutions (ENNHRI) representing forty-four national human rights bodies across Council of Europe Member States.

In its role as Chair of ENNHRI in 2019, the Commission has led ENNHRI's Board and General Assembly meetings.

The Chief Commissioner also represented ENNHRI at:

- » The High-level coordination meeting with the FRA Director and Equinet Chair held in May, in Brussels;
- » The 2019 National Human Rights Institute Academy in June on the effective implementation of economic and social rights in the OSCE region: the role of NHRIs, in Venice;
- » The 9th Annual Meeting for Tri-Partite Partnership (TPP) in June to support National Human Rights Institutions in New York;
- » The meeting with the Committee of Ministers of the Council of Europe in September on the theme of 'the

respective contributions of national human rights institutions and ombudspersons to human rights and the rule of law' in Strasbourg.

During 2019, Commission staff also participated in the ongoing work of ENNHRI:

- » Legal Working Group;
- » Economic and Social Rights Working Group; and
- » CRPD Working Group.

### Equinet

Equinet Europe, the network of national equality bodies, brings together 49 equality bodies from 36 European countries. At the Equinet AGM 2019 our Director Laurence Bond was elected to the Equinet Board for another 2 year term (2020 – 2022).

During 2019, Commission staff also participated in the ongoing work of Equinet:

- » Communications Working Group;
- » Policy Formulation Working Group;
- » Equality Law Working Group;
- » Project on Standards for Equality Bodies.

Staff also attended the following Equinet events during 2019:

- » Training organised by Equinet and the Fundamental Rights Agency in October on unlawful racial profiling, held in Cyprus;
- » The Annual General Meeting and Conference on Tackling Sexual Harassment in the Workplace, in October in Brussels.

## GANHRI

In the role as Chair of ENNHRI the Commission also participates as a member of the Bureau of the Global Alliance of National Human Rights Institutions (GANHRI) as a Regional Chair. The Chief Commissioner attended the GANHRI General Assembly in March in Geneva and the GANHRI Annual Conference in March entitled: 'Ensuring human rights-based and gender-responsive implementation, follow-up and review of the Global Compact for Migration: The role of National Human Rights Institutions'.

The Commission also maintains a strong working relationship with its counterparts in the three jurisdictions of the UK; the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland, the Scottish Human Rights Commission, and the Equality and Human Rights Commission.

## EU Commission

In 2019 Commission staff continued to participate in the ongoing work of two EU bodies:

- » European Commission Advisory Committee on Equal Opportunities between Women and Men;
- » Equality Data Sub-Group of the European Commission High Level Group on Non-Discrimination, Equality and Diversity.

Staff also attended the EU's CRPD Work Forum held in Brussels in May.







Chief Commissioner Emily Logan is appointed to Chair of ENNHRI, March 2019



Commission hosts ENNHRI Board, July 2019

# Corporate Governance and Structure





The Irish Human Rights and Equality Commission is an independent statutory body, established on 01 November 2014 under the *Irish Human Rights and Equality Commission Act 2014*. The statutory mandate of the Commission is to protect and promote human rights and equality in Ireland and to build a culture of respect for human rights, equality and intercultural understanding. The Commission is Ireland's National Human Rights Institution (NHRI) and National Equality Body (NEB).

## Commission

The Commission has fifteen members, one of whom is the Chief Commissioner (see **Appendix 1**). The provisions of the Act are designed to ensure the independence of the Commission in its work. Members of the Commission are appointed by the President, following a resolution by both Houses of the Oireachtas.

The terms of office of eight of the Commission members, included the Chief Commissioner ended during the year. Appointments to the Commission are governed by S.13 of the *Irish Human Rights and Equality Commission Act 2014*. As per the Act, the appointment process is through an open competitive process carried out by the Public Appointments Service at the request of the Minister for Justice and Equality. Competitions for the Chief Commissioner and Commissioners were ongoing at the end of the year.

The Commission is a body corporate. It accounts directly to the Oireachtas for its statutory functions and the members independently determine its policy and activities. Decision-making at Commission level is conducted, where possible, on the basis of consensus. Where there is a diversity of opinion on a given matter, a majority vote

may be taken. The structural independence of the Commission, in accordance with the Paris Principles, has been recognised in its "A" Status accreditation as an NHRI with the United Nations.

The Commission holds as many meetings as may be necessary for the fulfilment of its functions but in each year must hold not less than one meeting in each period of three months. The Commission held eight ordinary plenary meetings in 2019 on the following dates:

- » 5 February 2019
- » 19 March 2019
- » 30 April 2019
- » 11 June 2019
- » 16 July 2019
- » 17 September 2019
- » 29 October 2019
- » 10 December 2019

Four extraordinary meetings also took place, to facilitate the recording of time-sensitive decisions in between the scheduled ordinary meetings. The extraordinary plenary meetings took place on the following dates:

- » 1 August 2019
- » 15 October 2019
- » 11 November 2019
- » 15 November 2019

A Schedule of 2019 Attendance, Fees and Expenses is set out at **Appendix 2**.

The Commission must publish, on a three-yearly basis, its strategy statement setting out key objectives and related strategies, including use of resources of the Commission. The strategy statement must be laid before the Houses of the Oireachtas. The Commission also approves an annual work plan and budget. The current Strategic Statement covers the period 2019 – 2021, and was laid before the Oireachtas in December 2018.

The Commission takes strategic decisions on statutory functions, including on Commission policy statements and on the use of its legal powers, except where specifically delegated.

The Commission has delegated its power to provide legal and other assistance under section 40 of the Act to the Head of Legal. Its powers under section 32 of the Act in regard to equality reviews and action plans are delegated to the Head of Legal in consultation with the Director.

The day-to-day management of the Irish Human Rights and Equality Commission is the responsibility of the Director. The Director acts as a direct liaison between the Commission and senior management. The role and responsibilities of the Director are set out in sections 20-23 of the Act.

The Director and senior management follow the strategic direction set by the Commission. The Director provides the Commission with information in relation to the performance of his or her functions, including information with respect of those functions in so far as they relate to the financial affairs of the Commission, as the Commission may require. In addition, the Director ensures that all Commission members have a clear understanding of key activities and decisions, and of any significant risks likely to arise.

## Committees

The Commission has established a number of Committees to assist in governance and in progressing the work of the Commission in relation to its strategic priorities. These include the: Audit & Risk Committee, Legal Casework Committee, and Policy & Research Committee.

The Commission may also establish Advisory Committees under Section 18 of the *Irish Human Rights and Equality Act 2014*. In 2019 these included a Disability Advisory Committee and a Worker and Employer Advisory Committee.

Membership of each of these Committees, and attendance during 2019 is included at **Appendix 3**

The Audit & Risk Committee and the Section 18 Advisory Committees include both Commission members and external members, and the Commission is very grateful for the expert assistance received from these external members during the year.

### Audit and Risk Committee

The role of the Audit and Risk Committee is to:

1. consider the adequacy and effectiveness of IHREC's internal control systems, control environment and control procedures;
2. oversee the work of the Internal Audit and to provide advice and professional guidance, and
3. provide advice and guidance in relation to the systems of risk management and internal control within IHREC.

There were four meetings held in 2019 – 19 February 2019, 29 May 2019, 16 September and 12 December 2019.

## Legal Casework Committee

The purpose of the Legal Casework Committee is to advise the Commission on strategy in respect of legal casework and to develop guidelines, for adoption by the Commission, for the performance of the litigation/casework function of the Commission – *amicus curiae*, own name proceedings, Workplace Relations Commission proceedings and legal assistance schemes.

There were five meetings held in 2019 after the Committee was established – 18 April 2019, 4 June 2019, 16 July 2019, 25 October 2019 and 29 November 2019.

## Policy and Research Committee

The purpose of the Policy and Research Committee is to advise the Commission on strategy in respect of its policy and research functions, including its legislative interventions, international reporting, policy statements and data and research programmes.

There were two meetings held in 2019 after the Committee was established – 6 September 2019 and 29 November 2019.

## Worker Employer Advisory Committee

The Worker Employer Advisory Committee was established by the Commission in 2017 under Section 18 of the *Irish Human Rights and Equality Commission Act 2014*. The role of the Committee is to advise the Commission on:

- » Employment equality and workplace issues;
- » Equal status in service provision;
- » Human rights in the workplace and service

provision;

- » Diversity and interculturalism, and;
- » Such other matters as are referred to it by the Commission.

The Advisory Committee includes worker and employer representatives nominated by the Irish Congress of Trade Unions (ICTU) and by the Irish Business and Employers Confederation (IBEC).

There were four meetings held in 2019 – 6 March 2019, 2 May 2019, 8 August 2019 and 14 November 2019.

## Disability Advisory Committee

Following the ratification of the UN Convention on the Rights of Persons with Disabilities, in 2018 the Commission established a Disability Advisory Committee under Section 18 of the *Irish Human Rights and Equality Commission Act 2014*.

The role of the Committee is to:

1. Assist and advise the Commission on matters related to its function of keeping under review the adequacy and effectiveness of law and practice in the State relating to the protection of people with disabilities; and
2. Advise the Commission on the fulfilment of its CRPD Article 33 independent monitoring role.

There were five meetings held in 2019 – 20 February 2019, 17 April 2019, 3 July 2019, 8 October 2019, and 11 December 2019.

## Governance

The overall governance and control framework within the Commission is guided by:

- » *Irish Human Rights and Equality Commission Act 2014*;
- » *Code of Practice for the Governance of State Bodies 2016*;
- » *Corporate Governance Standard for the Civil Service*, with which the Commission is required to comply as funded by an Exchequer Vote;
- » *Ethics in Public Office Act 1995*;
- » *Standards in Public Office Act 2001*;
- » The recommendations of the *Report of the Working Group on the Accountability of Secretaries General and Accounting Officers 2002* (the Mullarkey Report);
- » *Public Financial Procedures 2012*.

The Commission has agreed a Corporate Governance Assurance Agreement with the Department of Justice and Equality.

## Staff of the Commission

In accordance with section 24 of the *Irish Human Rights and Equality Act 2014*, the Commission is the employer of its staff who are civil servants in the civil service of the State.

The executive, led by the Director, implements the strategy and policies of the Commission.

As at 31 December 2019, the Commission had 58 staff (see **Appendix 4**). The National Shared Services Office (NSSO) provides HR, pensions and payroll administration shared services to the Commission. The Commission utilises ePMDs (Performance Management Development System) to monitor and support the performance and development of its staff. The Commission facilitates regular communication on key issues between management and recognised staff trade unions.

The executive consists of four sections:

- » Legal
- » Policy and Research
- » Strategic Engagement
- » Corporate Services

The Heads of these sections, reporting to the Director, comprise the senior management.

## Senior Management at 31 December 2019

- » **Director** Laurence Bond
- » **Head of Legal** Michael O'Neill
- » **Head of Policy and Research** Iris Elliott
- » **Head of Strategic Engagement** Jean O'Mahony
- » **Head of Corporate Services** Gail Malone



## Funding and Financial Management

The Irish Human Rights and Equality Commission is funded through a Vote of the Oireachtas. The Director is the Accounting Officer for the Commission's Vote and this responsibility is separate to the governance responsibilities of the Commission members.

Each year the Accounting Officer must prepare the Appropriation Account for the Commission Vote for submission to the Comptroller and Auditor General. The Accounting Officer may then be called to appear before the Committee of Public Accounts of the Dáil to give evidence about the Account.

The Appropriation Account 2019 was submitted to the Comptroller and Auditor General for audit by the statutory deadline of 01 April 2020. As required this included the Accounting Officer's statement on the Commission's systems of internal financial control.

The 2019 gross estimate provision for Vote 25 Irish Human Rights and Equality Commission was €6.751m of which €3.658m was allocated for pay related expenditure, and €3.093m of which was allocated to non-pay expenditure. The provisional (prior to audit) expenditure outturn was €5.973m of which €2.821m was pay and €3.152m was non-pay. At year end, a surplus of €0.781m was liable for surrender to the Exchequer.

The Code of Practice for the Governance of State Bodies 2016 requires that bodies make a number of additional disclosures in relation to certain categories of expenditure. These are set out in **Appendix 5**.

## Protected Disclosures

As a public body, the Irish Human Rights and Equality Commission is required under section 22 of the *Protected Disclosures Act 2014* to publish an annual report in relation to the number of protected disclosures made to it in the preceding year, and the action taken in response to any such protected disclosures. No protected disclosures were made to the Commission in the period 01 January 2019 – 31 December 2019.

## Disability Act 2005

Under Part 5 of the *Disability Act 2005*, public sector bodies are required to report on their level of employment of people with disabilities. The results of a self-reporting Staff Census conducted in March 2020 showed that the Commission exceeded the 3% target for employment of people with disabilities in 2019. This information was provided to the National Disability Authority in March 2020.

## Willing Able Mentoring Programme

In 2019, the Commission again engaged with the AHEAD Willing Able Mentoring (WAM) programme, a paid work placement programme that aims to promote access to the labour market for graduates with disabilities. In 2019, the Commission employed 1 graduate under this programme.

## Disability Liaison/Access Officer

In 2019, the Commission expanded the role of the Access Officer to also include that of a Disability Liaison support. This has enhanced the service the Commission can offer to the public and staff members who require advice and support on matters relevant to disability and accessibility.



Commission received a WAM Leader award by AHEAD and the Dept of Employment Affairs and Social Protection, May 2019



## Freedom of Information Act 2014

The Commission continues to meet its obligations in relation to responding to Freedom of Information requests. FOI Decisions and Types of Request are outlined below:

### FOI Decisions 2019

Granted	4
Part-granted	4
Refused	4*
Withdrawn/Handled outside FOI	1
<b>Total</b>	<b>13</b>

### Types of Request 2019

Journalist	0
Business/Interest Group	0
Client	0
Member of Public	13
<b>Total</b>	<b>13</b>

\*Four FOI requests were refused in 2019 under section 15 of the *Freedom of Information Act 2014* (the Act). Three of the requests were refused under section 15(1)(a) of the Act on the grounds that the records requested do not exist. One request was refused under section 15(1)(i) of the Act on the basis that the records concerned had already been released to the requester.

## Overview of Energy Use

In accordance with *Statutory Instrument 426 of 2014*, all public sector bodies are required to report annually on their energy usage and any actions taken to reduce consumption.

In 2019, the Commission's energy usage comprised of grid energy only.

Energy Type	Consumption
Electricity	179,557 kWh
Fossil Fuels	0 kWh
Renewable Fuels	0 kWh

**Report under Section 42  
of the *Irish Human Rights  
and Equality Commission  
Act 2014* (Public Sector  
Equality and Human  
Rights Duty)**



A public body is required to set out in its Strategy Statement, an assessment of the human rights and equality issues it believes to be relevant to the functions and purpose of the body, and the policies, plans and actions in place, or proposed to be put in place, to address these issues. It must then report on developments and achievements in addressing these issues in its Annual Report.

As with any other public body, this duty applies to the Irish Human Rights and Equality Commission. Unlike other public bodies, our express statutory mandate is to address equality and human rights. In our case therefore our Strategy Statement 2019-2021 presents our assessment of the human rights and equality priorities we believe to be relevant to our functions and purpose and our progress to date in addressing these issues is documented throughout this annual report.

To meet our statutory obligations under the Duty we must also take account of human rights and equality in how we implement our functions and go about our daily work. In the preparation of its Strategy Statement, the Commission also undertook an assessment of human rights and equality issues in relation to its functions across a number of operational areas, including the provision of legal services; the provision of information to the public about their rights; a strategic engagement function, which oversees external communication and engagement with stakeholders; a policy and research function; and a corporate services function, which includes procurement and human resources. The issues identified in that assessment are also set out in the Statement of Strategy 2019-2021. This section reports on progress against these issues, which are to be addressed over the course of this three year cycle.

The Commission is committed to increasing the accessibility of our services across our operations. This includes events hosted at our public space in our offices in Green Street, as well as external events organised by the Commission. Our offices host a fully accessible events space. In 2019, that space accommodated 10 events specific to people with disabilities, seven of which were hosted by civil society organisations.

In 2019, the Commission organised a policy conference on reasonable accommodation in accessing, remaining and progressing in employment with people with disabilities (see p. 68). Our procurement process for that event reflected a high standard of accessibility for people with disabilities to maximise participation. This included assessment of the venue against the National Disability Authority's universal guidelines, and the provision of reasonable accommodations to facilitate attendees, including live streaming and ISL interpretation. These guidelines and procedures were also applied to our other major external event – the IHREC Human Rights and Equality lecture. Commission staff are designated as disability liaison people at all external events.

Accessibility of our external communications was also progressed in 2019, including the production of an Easy to Read version of the Commission's CERD report. Sub-titled video updates of the Commission's plenary sessions were disseminated, with ISL interpretation.

In 2019 the Commission ran an external communications campaign focused specifically on building awareness of disability rights (see p. 61). Our internal process to develop this campaign incorporated extensive consultation with people with disabilities to ensure that all outputs of the campaign were as accessible as possible, and

that channels used to promote the campaign were themselves accessible.

The Commission also worked specifically with RTÉ to ensure that a radio programme to showcase the campaign was inclusive of sign language users. This included the first live radio interview of a deaf person carried out via an Irish Sign Language interpreter on this national radio programme.

Progressively improving accessibility for staff, members of the Commission, and its advisory committees also forms part of our assessment. The Commission hosted one work placement under the Willing Able Mentoring (WAM) programme in 2019. Our role as host and mentor since 2018 has informed accessibility actions being implemented in 2020.

A number of human rights and equality issues were identified as pertaining to IHREC staff and our corporate policies, including procurement.

The Commission is obliged to comply with the principle of competitive tendering in

respect of its expenditure for works, supplies and service contracts. All tenders must comply with national and EU legislation. In 2019, the Commission developed further its internal procurement function and processes. As part of that work, it adopted internal 'Procurement Guidelines' which reflect our obligations under the Public Sector Duty.

The Commission also committed to further developing human rights and equality training for staff. A bursary programme for staff to undertake the Professional Diploma in Human Rights and Equality at the Institute of Public Affairs was initiated in 2019 on a competitive basis. A programme of internal training sessions on IHREC's work for staff was initiated in 2019. Development of staff-wide training in human rights and equality is an ongoing commitment.

Other issues identified in our assessment are subject to ongoing development. Progress on these, and further progress on the issues documented above, will be reported over the course of the strategic cycle.



Commission member Professor Caroline Fennell, Philippe Sands and ISL Interpreter Professor Lorraine Gleeson at the Commission's Annual Lecture, December 2019





Ann Irwin (Community Work Ireland), Farah Chiza (Galway Anti-Racism Network) and Commission member Heydi Foster-Breslin at the Commission's Galway civil society forum meeting, November 2019



Farah Chiza (Galway Anti-Racism Network) and Commission member Salome Mbugua at the Commission's Galway civil society forum meeting, November 2019

# Appendices





## Appendix 1: Commission Member Profiles for 2019

### Emily Logan, Chief Commissioner

Emily Logan served as Ireland's first Ombudsman for Children in the decade prior to her appointment as Chief Commissioner in 2014. On behalf of the Commission she also served as Chair of the European Network of National Human Rights Institutions (ENNHRI) having been elected in October 2018.

**Term of Office: 31 October 2014 – 31 October 2019**

### Teresa Blake SC

Teresa Blake is a Senior Counsel who has practised at the Bar of Ireland since 1995 in child protection, welfare law, asylum and immigration law, and education disability. Teresa's first qualification was as a social worker, and she has been involved with groups dealing with disability rights and children's rights.

**Term of Office: 31 October 2014 – 31 October 2019**

### Dr Frank Conaty

Frank Conaty is a Chartered Accountant and faculty member at the J. E. Cairnes School of Business and Economics, NUI Galway. Frank is a former Chair of the National Parents and Siblings Alliance. He is also an affiliate faculty member of the Centre for Disability Law and Policy at NUI Galway. Frank is serving his second term, having been first appointed to serve from November 2014 – October 2017.

**Term of Office: 31 May 2018 – 31 May 2023**

### Patrick Connolly

Paddy Connolly is CEO of Age Action, a national advocacy organisation that advocates to shape better policies and services for people as they age. Previously Paddy was CEO of Inclusion Ireland, a national organisation that advocates for the rights of persons with an intellectual disability and was CEO of Cairde for 14 years.

**Term of Office: 31 May 2018 – 31 May 2023 (resigned February 2020)**

### Professor Caroline Fennell

Caroline Fennell is Professor of Law in the School of Law UCC, appointed in 2001. Caroline has a strong commitment to interdisciplinarity and her research interests focus on issues relating to gender, constructions of rights and fairness in crisis, criminal justice and the law of evidence. She has published widely in these fields. She is the current Chair of ENNHRI (European Network of National Human Rights Institutions).

**Term of Office: 31 May 2018 – 31 May 2023**

### Heydi Foster Breslin

Heydi Foster Breslin is CEO of An Cosán and was previously CEO of Misean Cara, a faith-based development organisation and CEO at Exchange House National Travellers Service. Originally from Guatemala, Heydi has extensive experience in advocating internationally for human rights and providing social services to minority groups. Heydi is a Board member of Dóchas, the association of Irish NGO's. Heydi is serving her second term, having been first appointed to serve from November 2014- October 2017.

**Term of Office: 31 May 2018 – 31 May 2023**

### **Tony Geoghegan**

Tony was CEO of Merchants Quay Ireland, Drugs and Homeless Services for 28 years, leading on responses to the growing issues of problem drug use and homelessness in Ireland. Tony is an accredited addiction counsellor and is a member of the Government's Standing Committee on Drugs representing the National Voluntary Drug Treatment Sector.

**Term of Office: 31 May 2018 – 31 May 2023**

### **David Joyce**

David Joyce was a solicitor with the Mercy Law Resource Centre specialising in housing and homelessness. Previously David was Legal Officer with Threshold and Legal Policy Officer with the Irish Traveller Movement. David has served as a member of several expert bodies such as the National Consultative Committee on Racism and Interculturalism.

**Term of Office: 1 November 2014 – 31 October 2019 (resigned June 2019)**

### **Salome Mbugua**

Salome Mbugua is the founder and former CEO of AkiDwA (The Migrant Women's Network), and since 2015 has supported the development of Wezesha, an African Diaspora-led development organisation supporting women and children affected by conflict. Salome is Chair of European Network of Migrant Women and sits on the EU Expert Group on Economic Migration.

**Term of Office: 31 May 2018 – 31 May 2023**

### **Sunniva McDonagh SC**

Sunniva McDonagh is a Barrister (since 1982) and Senior Counsel (since 2008) and practices principally in the area of judicial review and fundamental rights, with a particular interest in fair trial rights and family rights. Sunniva is currently a member of the Mental Health Tribunal and was previously a member of the Refugee Appeals Tribunal.

**Term of Office: 31 October 2014 – 31 October 2019**

### **Professor Siobhán Mullally**

Siobhán Mullally is Professor of Human Rights Law and Director of the Irish Centre for Human Rights, NUI Galway, having previously been Professor of Law at UCC and Director of their Centre for Criminal Justice and Human Rights. Siobhán is also a former President of the Council of Europe Group of Experts Against Trafficking in Human Beings.

**Term of Office: 31 October 2014 – 31 October 2019**

### **Professor Ray Murphy**

Ray Murphy is a Professor at the Irish Centre for Human Rights NUI, Galway as well as serving on the faculty of the International Institute for Criminal Investigations and Justice Rapid Response. Ray is a member of the Executive Committee of the Association of Human Rights Institutes and a former Captain in the Irish Defence Forces.

**Term of Office: 31 October 2014 – 31 October 2019**

### **Dr Fidèle Mutwarasibo**

Fidèle Mutwarasibo is a sociologist, a founding member of Africa Centre and former Integration Manager with the Immigrant Council of Ireland. Fidèle, originally from Rwanda, is currently an independent consultant specialising in human rights, equality, immigration, integration, diversity, research, advocacy and programme management.

**Term of Office: 31 October 2014 – 31 October 2019**

### **Colm O'Dwyer SC**

Colm O'Dwyer is a barrister who specialises in human rights, asylum, immigration and public law. Colm is a former member of the Bar Council and was the first chair of the Bar of Ireland Human Rights Committee. He was chair of the NGO Ruhama from 2016 to May of 2020.

**Term of Office: 31 May 2018 – 31 May 2023**

### **Orlagh O'Farrell**

Orlagh O'Farrell is an Independent Consultant on equality, employment law, discrimination issues and corporate governance. Orlagh was previously Ireland Expert on the EU Network of Legal Experts in the Anti-Discrimination Field, a former Steering Group member on the Equality and Rights Alliance and a member of Community Legal Resource Network.

**Term of Office: 31 October 2014 – 31 October 2019 (resigned August 2019)**

## Appendix 2: Attendance at Commission Meetings

The Commission held eight ordinary meetings in 2019. Four extraordinary meetings of the Commission also took place, to facilitate the recording of time-sensitive decisions between the scheduled ordinary meetings.

Commission members receive an annual fee of €7,695. The term of office of five of the commission members concluded on 31 October 2019 giving rise to a reduced fee of

€6,412. An additional two members resigned from the Commission in 2019 prior to their term of office concluding on 31 October 2019 which also gave rise to a reduced fee of €5,771.

The Chief Commissioner's term of office also concluded on 31 October 2019. Her remuneration is included at **Appendix 5**.

In 2019, four members, Frank Conaty, Caroline Fennell, Siobhán Mullally and Ray Murphy, did not receive any fee under the One Person One Salary principle.

Commission Members	Ordinary Meetings	Extraordinary Meetings	Fees 2019 €	Expenses*** 2019 €
Emily Logan	7 of 7*	2 of 2*	N/A**	247
Teresa Blake S.C.	7 of 7*	0 of 2*	6,412	-
Dr Frank Conaty	6 of 8	4 of 4	-	657
Paddy Connolly	7 of 8	4 of 4	7,695	-
Professor Caroline Fennell	6 of 8	3 of 4	-	2,323
Heydi Foster Breslin	8 of 8	2 of 4	7,695	278
Tony Geoghegan	7 of 8	4 of 4	7,695	244
David Joyce BL	3 of 3*	0 of 0*	5,771	-
Salome Mbugua Henry	7 of 8	2 of 4	7,695	-
Sunniva McDonagh S.C.	5 of 7*	1 of 2*	6,412	966
Professor Siobhán Mullally	5 of 7*	2 of 2*	-	1,593
Professor Ray Murphy	7 of 7*	1 of 2*	-	1,084
Dr Fidèle Mutwarasibo	7 of 7*	2 of 2*	6,412	1,345
Colm O'Dwyer	8 of 8	4 of 4	7,695	-
Orlagh O'Farrell	3 of 5*	0 of 0*	5,771	-
			<b>69,253</b>	<b>8,737</b>

**Note:**

\*In 2019, the terms of eight of the fifteen Commission members concluded on 31 October 2019, and two of these members resigned prior to that date. The record of attendance for each member reflects the number of meetings held while they were in office.

\*\*N/A – The Chief Commissioner's remuneration is included at **Appendix 5**.

\*\*\*Expenses relate to Travel and Subsistence expenditure as outlined further at **Appendix 5**.

## Appendix 3: Attendance at Committees

Policy and Research Committee	Meetings Attended
Emily Logan	1 of 1
Frank Conaty	2 of 2
Salome Mbugua	1 of 2
Caroline Fennell	2 of 2
Siobhán Mullally	1 of 1
Colm O' Dwyer	1 of 2

Casework Committee	Meetings Attended
Teresa Blake	4 of 4
Caroline Fennell	5 of 5
Colm O'Dwyer	5 of 5
Sunniva McDonagh	2 of 4
Siobhán Mullally	4 of 4
Heydi Foster Breslin	1 of 1
Frank Conaty	1 of 1

Audit and Risk Committee	Meetings Attended
John Maher (Chair)	4 of 4
David Scott (External Member)	2 of 4
Emily Logan	3 of 3
Heydi Foster Breslin	3 of 4
Patrick Connolly	3 of 4

Disability Advisory Committee	Meetings Attended
Emily Logan	4 of 4
Teresa Blake	4 of 4
Frank Conaty	5 of 5
Gary Allen	5 of 5
Bernie Bradley	4 of 5
Jacqui Browne	5 of 5
Adrian Carroll	5 of 5
John Bosco Conama	5 of 5
Michelle Gaynor	5 of 5
Eliona Gjeczaj	5 of 5
Brian Hayes	4 of 5
Rosaleen McDonagh	2 of 5
Kieran Murphy	3 of 5
Vivian Rath	5 of 5

Worker Employer Advisory Committee	Meetings Attended
Tony Geoghegan (Chair)	4 of 4
Orlagh O' Farrell (Vice-Chair)	1 of 2
Brian Callanan, Ibec	1 of 4
Seamus Dooley, NUJ	3 of 4
Norman Harte, Iarnród Éireann	2 of 4
David Joyce, ICTU	4 of 4
Patricia King, ICTU*	1 of 2
Marie Sherlock, SIPTU*	0 of 2
Kara McGann, Ibec	2 of 4
Deirdre O'Connor, INTO	2 of 4
Gillian Verrechia, Ibec	3 of 4

\*Marie Sherlock, SIPTU replaced Patricia King, ICTU.

## Appendix 4: Commission Staff

The staff complement of the Commission as at 31 December 2019 was 58, with grading structure as follows:

Grade	No. of Staff
Director	1
Principal Officer	4
Professional Accountant Grade I	1
Assistant Principal Officer	11
Higher Executive Officer	10
Administrative Officer	8
Higher Legal Executive	1
Legal Executive	4
Executive Officer	8
Clerical Officer	10
<b>Total</b>	<b>58</b>



## Appendix 5: Additional Financial Disclosures

The Commission is funded through a Vote of the Oireachtas. The Director is the Accounting Officer for the Commission's Vote.

The Appropriation Account 2019 for Vote 25 Irish Human Rights and Equality Commission was submitted to the Comptroller and Auditor General for audit by the statutory deadline of 01 April 2020.

*The Code of Practice for the Governance of State Bodies 2016* requires that bodies make a number of additional disclosures in relation to certain categories of expenditure and remuneration and these are set out below:

### Employee Short-Term Benefits Breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

Short-term employee benefits	No. of Employees in Band	
€	2019	2018
60,000-69,999	3	6
70,000-79,999	5	3
80,000-89,999	3	-
90,000-99,999	-	-
100,000-109,999	-	-
110,000-119,999	2	2
120,000-129,999	-	-
130,000-139,999	1	-
140,000-149,999	-	1

**Note:** For the purposes of this disclosure, short term employee benefits in relation to services rendered during the reporting period include salary, overtime allowances and other payments made on behalf of the employee, but exclude employer's PRSI.

Key Management Employee Benefits	2019 €	2018 €
Commission Member Fees	69,255	60,919
Salary (Including Chief Commissioner)	647,967	493,388
Allowances	-	-
Termination benefits	-	-
Health Insurance	-	-
	<b>717,222</b>	<b>554,307</b>

Key management personnel in the Commission consists of the members of the Commission, including the full time Chief Commissioner, the Director and the members of the Senior Management Team. Figures represent actual remuneration for the period.

<b>Chief Commissioner Salary</b>	<b>2019*</b>	<b>2018</b>
	<b>€</b>	<b>€</b>
Basic Pay	125,356	140,370
Health Insurance	-	-
<b>Total</b>	<b>125,356</b>	<b>140,370</b>

\*The outgoing Chief Commissioner's term ended on 31.10.2019

<b>Director Salary</b>	<b>2019</b>	<b>2018</b>
	<b>€</b>	<b>€</b>
Basic Pay	111,424	110,228
Health Insurance	-	-
<b>Total</b>	<b>111,424</b>	<b>110,228</b>

<b>Consultancy Costs</b>	<b>2019</b>	<b>2018</b>
	<b>€</b>	<b>€</b>
Legal fees	10,634	1,442
Advisory	4,875	58,162
<b>Total</b>	<b>15,509</b>	<b>59,604</b>

**Note:** Consultancy costs include the cost of external advice to management and excludes outsourced 'business-as-usual' functions.

Legal fees does not include fees paid to legal counsel engaged by the Commission in the discharge of its statutory legal functions.

<b>Travel and Subsistence – Domestic and International</b>	<b>2019</b>	<b>2018</b>
	<b>€</b>	<b>€</b>
<b>Domestic Travel</b>		
- Commission*	7,117	5,370
- Employees	22,750	16,908
<b>International Travel</b>		
- Commission*	5,815	2,238
- Employees	26,293	13,076
<b>Total</b>	<b>61,974</b>	<b>37,593</b>

\*includes €8,490 (2018: €6,649) paid directly to Commission members (excluding the Chief Commissioner) in 2019. The balance of €4,442 (2018: €959) relates to expenditure paid by IHREC on behalf of Commission members.

### Legal Costs and Settlements

There were no such costs in 2019.

<b>Hospitality Costs</b>	<b>2019</b>	<b>2018</b>
	<b>€</b>	<b>€</b>
Staff Hospitality	-	-
Third Party Hospitality*	1,319	-
<b>Total</b>	<b>1,319</b>	<b>-</b>

\*Third party hospitality refers to expenditure incurred in relation to invited guests of the Commission for hosted events such as the Annual Human Rights and Equality Lecture.

## Appendix 6: Publications

### Corporate Publications

- » Strategy Statement 2019 – 2021 / Ráiteas Straitéise 2019 – 2021, February 2019
- » Annual Report 2018 / Tuarascáil Bhliantúil 2018, June 2019

### Information Guides

- » 'Who We Are and What We Do', November 2019

### International Reporting

- » Comments on Ireland's 16th National Report on the Implementation of the European Social Charter, June 2019
- » Submission to the UN Committee on the Elimination of Racial Discrimination on the List of Themes for the Examination of Ireland on its Combined 5th to 9th Report, July 2019
- » 'Ireland and the Convention on the Elimination of Racial Discrimination: Submission to the United Nations Committee on the Elimination of Racial Discrimination on Ireland's Combined 5th to 9th Report', October 2019
- » Easy to Read version of the IHREC submission to the United Nations on Ireland and the Convention on the Elimination of Racial Discrimination (CERD), December 2019

### Policy Statements and Submissions

- » Policy Statement on the Electoral Acts and Civil Society Space in Ireland, January 2019
- » Recommendations on the Establishment of an Electoral Commission, March 2019
- » Policy Statement on the ratification of the Istanbul Convention, July 2019
- » Review of the Prohibition of Incitement to Hatred Act 1989, December 2019

### Research Reports

- » 'Caring and Unpaid Work in Ireland', Helen Russell, Raffaele Grotti, Frances McGinnity, Ivan Privalko, July 2019, Dublin
- » 'Evolving Justice Arrangements Post-Brexit', Amanda Kramer, Rachael Dickson, Anni Poes, August 2019, Belfast
- » 'European Survey Data on Attitudes to Equality and Human Rights' (Technical Paper), Éamonn Fahey, Doireann O'Brien, Helen Russell, Frances McGinnity, December 2019, Dublin

## Appendix 7: Grants Scheme

In 2019, the Commission continued to provide support for projects under its Irish Human Rights and Equality Grants Scheme. Grants awarded by the Commission in 2017 and 2018 saw the following projects delivered during 2019:

Organisation	Project
All Together in Dignity Fourth World Ireland CLG	Collecting stories from people with lived experience of poverty to illustrate how respect, dignity, participation, inclusion and equality are experienced as these people avail of public services. The stories will form the base of a process that helps participants to voice the need for change within public service provision.
An Cosan/The Shanty Educational Project	Partnering with International Protection Applicants (IPAs) in Direct Provision to co-create a blended learning programme to address participants' employment rights, civic participation, and social inclusion.
Blue Fire	The 'TeenZone' project is a fine arts and collaborative workshop programme which aims to foster intercultural community integration among youth groups from 13 – 18 years old.
Community Action Network (CAN)	Promoting awareness and understanding among service users of their human and equality rights and of Public Sector Equality and Human Rights Duty; supporting this vulnerable group of rights holders in using the complaints system and addressing the issues they have named to be of concern to them.
Disability Federation of Ireland	Providing training to local authorities on the UN Convention on the Rights of Persons with Disabilities and how it relates to the Public Sector Equality and Human Rights Duty.
Dolphin House Community Development Association	Supporting the integration of non-Irish born tenants in Dublin City Flat complexes through a series of learning events involving community leaders, statutory agencies and all participants within estates. The project aims to influence policy, inform practice and develop understanding and appreciation of cultural diversity between host communities and new non-Irish residents.
Donegal Travellers Project	Developing an approach and strategy to promote and enhance effective, positive intercultural relations and awareness.
Dublin City University, Anti-Bullying Centre (ABC)	Developing a set of guidelines for Religious Education teachers who work with minority faith and other students in Irish Post Primary schools, aiming to build research evidence and raise awareness and understanding of challenges and opportunities impacting on the provision of equality and respect for the human right to freedom of minority beliefs.

Organisation	Project
Good Shepherd Cork	Delivering rights-based training sessions to staff and service users to ensure women, children and families in emergency accommodation and associated projects receive an appropriate, equitable and quality service and are empowered to engage effectively with other social service providers.
Institute of Technology Carlow	Providing a Certificate in Building Capacity and Enhancing Leadership in Intercultural Understanding and Diversity programme to public bodies in order to support them to identify and address specific or multiple human rights and/or equality issues of relevance to their work for people accessing their services and for staff.
Irish Penal Reform Trust	Raising awareness of intersectional discrimination and human rights breaches against people with disabilities in detention, building capacity among civil society organisations and State bodies to recognise and address challenges and eliminate discrimination, and ensuring individuals with severe disabilities receive appropriate care in alternative rehabilitative settings.
Maynooth University	Investigating whether Ireland is compliant with the right to education as set forth in the United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR).
Meath County Council	Preparation of a joint Migrant Integration Strategy by Meath and Louth County Councils to support and promote integration and be responsive to the needs of migrants and ethnic minority communities.
National Safeguarding Committee/Health Information and Quality Authority (HIQA)	Developing awareness and training materials for providers of public, private and voluntary services that promote the principles and practices of rights-based care provision.
Rape Crisis and Sexual Abuse Counselling Centre Sligo, Leitrim and West Cavan	A series of workshops in an intercultural group support programme for survivors of sexual violence, targeting a mix of Irish and non-Irish participants.
Tipperary Rural Traveller Project	Empowering young Travellers to build a better future for themselves by creating with them a space where they can come together to unlock their potential, come up with solutions to their challenges, and develop their own unique voices.



## Appendix 8: Your Rights Data

Protected Ground	Equal Status Acts 2000 - 2018		Employment Equality Acts 1998 - 2015		Intoxicating Liquor Acts 2003 – 2008		Total	
	2018	2019	2018	2019	2018	2019	2018	2019
Age	35	35	40	42	2	4	77	81
Civil Status	14	17	6	4	0	0	20	21
Disability	168	260	106	169	6	7	280	436
Family Status	12	24	13	26	0	0	25	50
Gender	47	65	89	112	7	2	143	179
Housing Assistance	113	113	0	0	0	0	113	113
Not Stated	13	25	24	47	2	2	39	74
Race	74	81	56	58	3	1	133	140
Religious Belief	8	22	9	8	0	0	16	30
Sexual Orientation	7	4	9	8	1	1	17	13
Traveller Community	14	26	1	0	22	12	37	38
<b>Total</b>	<b>505</b>	<b>672</b>	<b>352</b>	<b>474</b>	<b>43</b>	<b>29</b>	<b>900</b>	<b>1175</b>

Human Rights Topics 2019	Human Rights Queries	
	2018	2019
Administration of Justice/Fair procedures/ Fair trial - Art 6/Effective investigation	18	45
Asylum seekers/Human Trafficking	34	22
Children's Rights	4	3
Conditions of detention ( prisons, other institutions)	12	13
Educations	3	4
Equality/Non-discrimination – Art 40.1/Art 14	1	20
Fair Procedures	0	0
Freedom of Assembly & Association - Art 11	1	4
Freedom of Expression - Art 10	1	5
Freedom of Thought, Conscience & Religion - Art 9	2	2
General /Misc.	25	20
Historical Institutional Abuse	1	6
Homelessness/Social housing & Living conditions	18	36
Immigration/Family Reunification/Right to Remain/Freedom of Movement	0	50
Inhuman and Degrading Treatment & Punishment/Prohibition of Torture - Art 3	3	9
Private, Family Life, Home and Correspondence - Art 8	12	12
Prohibition of Slavery and Forced Labour - Art 4	0	0
Protection of Property	1	2
Right to Education		4
Right to Life - Art 2/Right to Death	2	5
Right to work/Decent work	0	34
Rights relating to Health, & Bodily Integrity	12	24
Unlawful detention/ Conditions of detention (prisons, other institutions)		13
<b>Total</b>	<b>151</b>	<b>316</b>

