



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

Annual Report 2023



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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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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 2023.



Dr Lucy Michael

Commission Member

Message from the Commission

This was a year of heightened geopolitical instability. During this period, Ireland has shown leadership internationally, promoting cooperation, peacebuilding and advocating for human rights, most recently in Ireland's role on the UN Security Council. However, we cannot be complacent about human rights and equality at home. The quality of our democracy, and the protection of equality and human rights, requires ongoing work in response to significant challenges and threats, both national and international. Ireland, as a small globalised country, continued to experience the ripple effects of international conflict, climate change and sharp economic inequality, leaving households vulnerable to an increased cost of living fuelled by inflation.

Ireland's accommodation system remains in crisis, evidenced in homelessness figures, with monthly figures reaching record highs in eight out of the first ten months of the year. In line with our strategic focus on economic equality, we published a suite of policy statements on Welfare Indexation, Care, Just Transition (Climate) and exploring the incorporation of economic, social and cultural Rights into the Constitution.

Over the last ten years, we have used our legal powers to bring forward cases demonstrating the very poor living conditions experienced by many Traveller families. We used our legal powers under section 32(1) of the IHREC Act, to invite seven Local Authorities to prepare and implement an Equality Action Plan on the provision of Traveller accommodation and services. This process required active engagement from local authorities and provided significant potential for learning and reflection.

While the vast majority of people in Ireland value a more inclusive and diverse society, and attitudes amongst the most positive in Europe towards refugees, action to meet the needs of people seeking Temporary Protection under the EU Temporary Protection Directive and those seeking International Protection remains a challenge for the State. This is in the context of an ongoing housing crisis, which is negatively impacting the rights particularly of those already economically marginalised.

The State's response to the increase in international protection applications remained of significant concern for us across 2023. For the first time, we used our powers under section 41 of the IHREC Act to initiate proceedings before the High Court in our own name, seeking to address the State's failure to provide for the basic needs, including accommodation, of people recently arrived in Ireland and seeking asylum - this case is ongoing.

Pervasive discrimination and socio-economic inequality continue to undermine equal opportunity in Ireland. The Government's Review of Equality Law in Ireland represents a milestone opportunity for reform. Our Future of Equality Legislation Advisory Committee concluded their work to inform and support our continued engagement with the Review of the Equality Acts. The Committee assisted us in publishing our second set of recommendations to Government.

On workers' rights, we published new research examining collective bargaining in Ireland, and making the case that a statutory framework and protection for collective bargaining is essential. Ireland is an outlier among European countries in not protecting an entitlement to engage in collective bargaining, and in its low rates of collective bargaining.

In an important step towards monitoring compliance with the Public Sector Equality and Human Rights Duty, we launched a portal in December, which allows us to record public bodies' compliance levels with section 42(2) of the IHREC Act, namely the requirement to publish relevant information.

It was also a significant year for monitoring and reporting to international human rights bodies. We made recommendations to the United Nations and to the Council of Europe on Ireland's international obligations in relation to the Convention on the Rights of the Child, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and the European Social Charter. We also reported on the Sustainable Development Goals for the first time.

Capacity building around rights is also an important function of the Commission. In 2023, we grant-aided 30 projects by civil society under the theme of Advancing Access to Justice and Rights and Promoting the Eradication of Ableism, Ageism, Racism, Sexism, Homophobia and Transphobia.

In our role as Ireland's Independent National Rapporteur on Human Trafficking, we brought together Europe's leading anti-trafficking figures from the Council of Europe, European Parliament and the OSCE to publish our second National Anti-Trafficking Report.

Our Disability Advisory Committee continued their vital work in ensuring direct participation of disabled people in our monitoring of how the UN Convention on the Rights of Persons with Disabilities is implemented in Ireland.

We continued working, together with Northern Ireland colleagues, through the Article 2 Windsor Framework Working Group, carrying out a programme of engagement with MEPs, an event to reflect on the 25-year anniversary of the Good Friday Agreement and publication of national polling on attitudes to equality and human rights post Brexit.

We also saw leadership change in the Commission, with Deirdre Malone taking up her post as Director in May 2023.

We welcomed six new Commission Member appointments whose experience and expertise have already brought new perspective and advancements to our work: Andrew Forde, Caoilfhionn Gallagher KC FRSA, Colin Harvey, Eoin Ronayne, Noeline Blackwell and the re-appointment of Dr Salome Mbugua.

We would like to acknowledge the work and commitment of the Commission Members who completed their five-year term during the year. Their dedication, commitment and expertise made a lasting difference to our work, and is evidenced in the breadth of activities of the organisation set out in this report.

Looking ahead, in our 10th year as Ireland's national human rights and equality body, the protection and promotion of human rights, and the fostering of equality, is, and will always be, a continuous collective project. Our impact as Ireland's national human rights institution and national equality body is achieved in co-operation with many others across civil society and public bodies, and we thank our wide variety of stakeholders who contribute to our shared mission of a just and inclusive Ireland.

On behalf of the Commission,

A handwritten signature in blue ink, appearing to read 'Lucy Michael', with a stylized, flowing script.

Dr Lucy Michael

Commission Member

Who we are

The Irish Human Rights and Equality Commission ('the Commission') was established on 1 November 2014, as an independent public body under the IHREC Act. We are Ireland's independent National Human Rights Institution ('NHRI') and National Equality Body. We are the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities ('UNCRPD'); the independent National Rapporteur on the Trafficking of Human Beings; and will be assigned the role of the Co-ordinating National Preventive Mechanism under the Optional Protocol to the Convention against Torture, pending ratification. Alongside the Northern Ireland Human Rights and Equality bodies, we have a mandate to provide oversight and report on rights and equality issues falling within the scope of the Article 2 commitment of the Windsor Framework. We also have legal powers under the Gender Pay Gap Information Act 2021.

The Commission Members are appointed by President Michael D. Higgins, following a resolution by both Houses of the Oireachtas.

We operate independently of Government, with our institutional independence guaranteed in our establishing legislation, which provides for accountability of the Commission for our statutory functions to the Oireachtas.

Statutory mandate

Our overall statutory functions, 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 our mandate, we are 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 2023



Sinéad Gibney
Chief Commissioner



Professor
Kathleen Lynch



Professor
Ray Murphy



Adam Harris



Dr Lucy Michael



Dr Rosaleen McDonagh



Jim Clarken



Michael Finucane



Sunniva McDonagh SC

New Commission Members



Dr Andrew Forde



Colin Harvey



Noeline Blackwell



Caoilfhionn Gallagher KC



Eoin Ronayne



Dr Salome Mbugua
(re-appointment)

Commission Members who finished their term in 2023



Dr Frank Conaty



Professor
Caroline Fennell



Colm O'Dwyer
SC



Heydi
Foster-Breslin



Tony Geoghegan

Report of activity

This Annual Report covers the second year of our Strategy Statement 2022- 2024. It sets out our activities during 2023 to advance each of the Commission's five strategic priorities:

1. Economic equality
2. Justice
3. Respect and recognition
4. Futureproofing
5. Public Sector Duty

We report on our activities to advance our strategic priorities under the headings:

1. Equipping individuals to better vindicate their rights
2. Strengthening legislation and addressing gaps
3. Monitoring, reporting and enforcement
4. Developing policies and programmes
5. Enhancing the standards of Anti-Trafficking response in Ireland
6. Equality and human rights on the island of Ireland
7. Engagement and communication

Section eight then reports on how we have delivered on our corporate and compliance responsibilities during the year under review.

Finally, in section nine, we report on our obligations under:

- Section 42 of the Irish Human Rights and Equality Commission Act 2014; and
- The Official Languages (Amendment) Act 2021

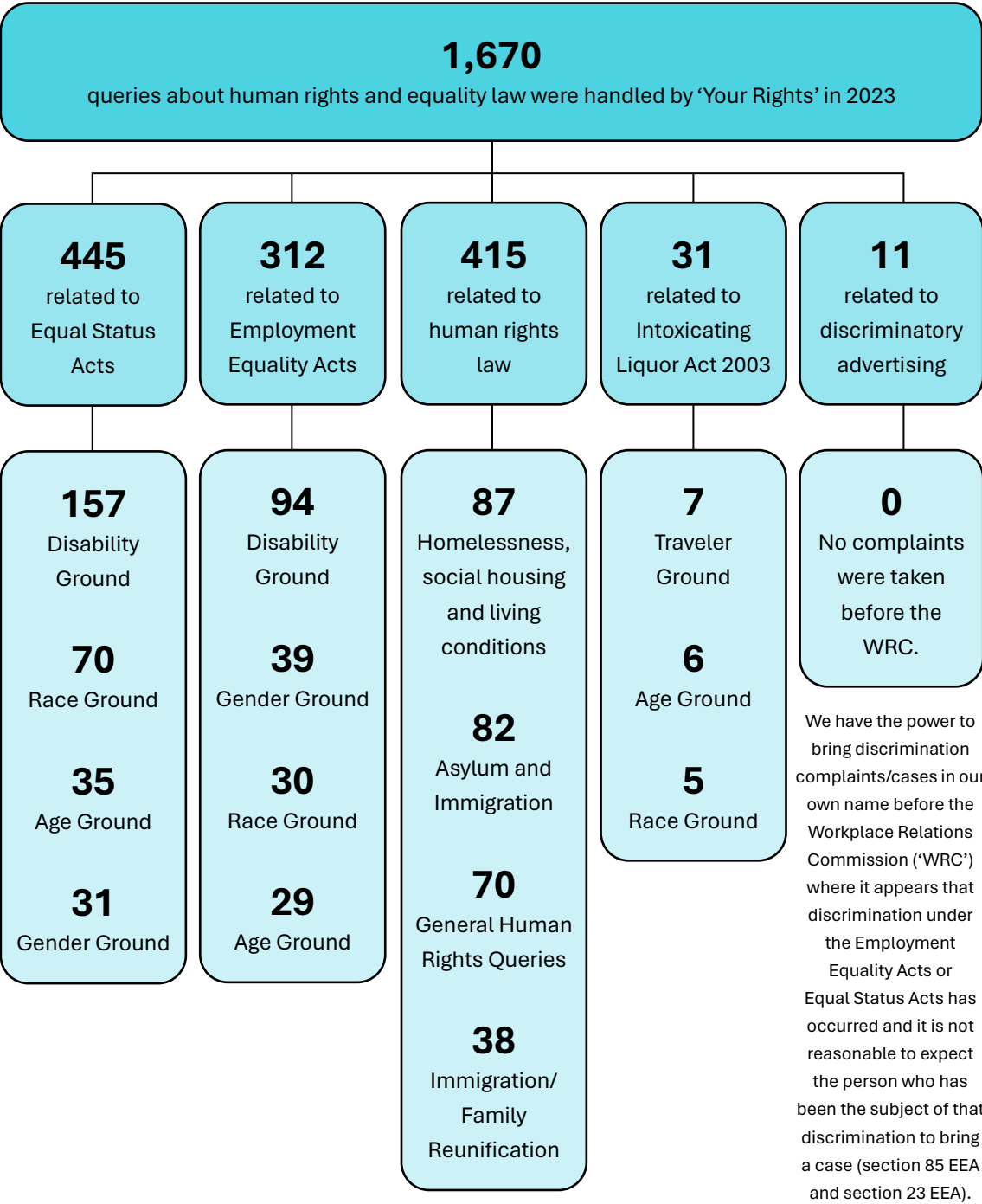
Equipping
individuals to
better vindicate
their rights

Your Rights Information Service

We operate the Your Rights Information Service to provide members of the public with information about their rights under equality and human rights law in Ireland. The service provides information about the options people may have if they believe they have experienced discrimination, or that their rights have been breached.

The service received **1,670** unique queries from members of the public, by phone, email and letter, a 16% increase on queries received in 2022.

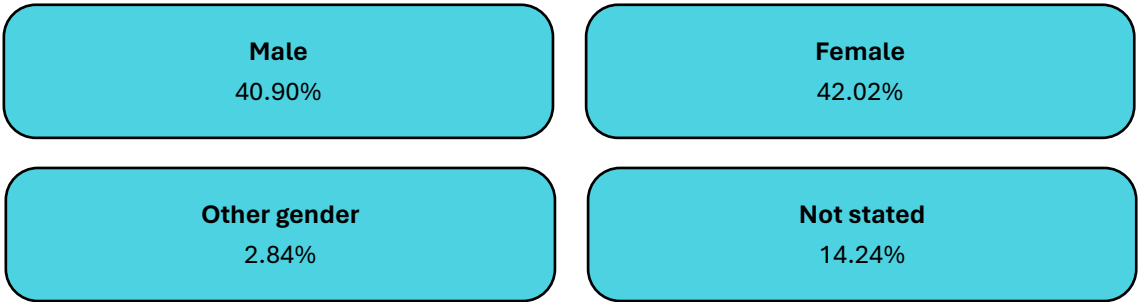
While the purpose of the service is to provide individuals with information relating to human rights and equality law in Ireland, it also provides information about other organisations and resources that may be of assistance, based on the nature of a person's query.



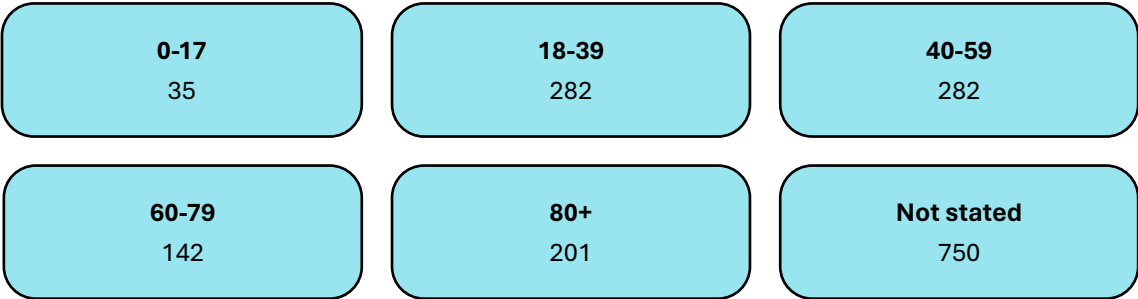
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were beyond our remit and where appropriate, saw referrals to other information resources or services, including for example the Workplace Relations Commission, Ombudsmans' offices, regulatory bodies such as the Data Protection Commission and Consumer Protection Commission, or to the Legal Aid Board and Free Legal Advice Centres ('FLAC').

Who is contacting the Your Rights Information Service

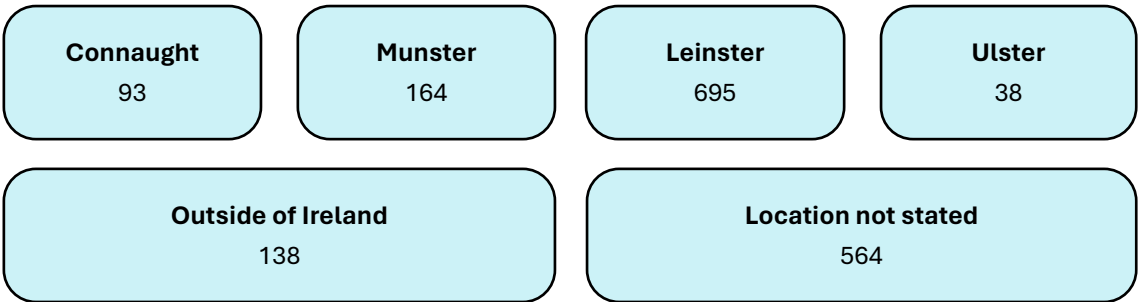
— Gender



— Age



— Location



Providing legal assistance to individuals

Under section 40 of the IHREC Act we can, in certain circumstances set down in law, give legal assistance to members of the public who wish to take a case relating to equality or human rights law before the Workplace Relations Commission, the Labour Court or the courts. The assistance provided can include legal advice only, or legal advice and representation.

At the beginning of the year, we had 209 individual clients who had been granted legal assistance and whose cases were ongoing. Of these, 61 had been approved for legal advice and 148 had been approved for legal advice and representation. A further 11 applicants were awaiting a decision on their application for assistance.

Applications for legal assistance

In addition to the 11 applications carried over from 2022, an additional 235 new individual applications for legal assistance were received during the year.

This year:

- 147 applications were approved for assistance, of which:
 - 94 approvals were for legal advice only; and
 - 53 approvals were for legal advice and representation;
- 73 applications were declined; and
- 10 applications were withdrawn or discontinued.

We completed work on 54 individual cases, assisting 86 clients. 17 clients (across 15 individual cases) were granted legal advice only, while 69 clients (across 39 individual cases) were provided with legal advice and representation.

Details of these completed matters, including some that had been opened in previous years, are set out in the tables below

Legal advice assistance completed

During the year, 17 clients relating to 15 case files were granted legal advice assistance, but not legal representation, across the following areas:

Ground of Discrimination	No. of Clients	Advice only under the Employment Equality Acts 1998-2015
Age	1	We provided legal advice to this client in relation to the statutory and mandatory provisions that applied to the age of retirement from his post.
Age	1	We provided legal advice to this client who believed that he had been discriminated against in the manner in which his application for employment was considered.
Disability	1	We provided legal advice to this client who is deaf, and an ISL user, in relation to the provision of reasonable accommodation as part of an employment recruitment process.
Disability	1	We provided legal advice to this client in relation to accessing employment.
Gender / Sexual Harassment	1	We provided legal advice to this client in relation to an incident of sexual harassment. Following our advice, the client reached an agreement regarding the dispute with her employer.
Race	1	We provided legal advice to this client in relation to a complaint of discriminatory treatment in the workplace, specifically that his career was not progressing at a similar rate to his non-black colleagues and that his employer was impeding his career progression due to his race.
Race	1	We provided legal advice to this client in relation to a refusal of a statutory redundancy payment on the basis that the client did not have a work permit for the relevant period of employment when he was subsequently issued with the work permit and settled status.
Race	1	We provided legal advice to this client who is of non-Irish nationality and alleged that she was racially harassed in the workplace.

Ground of Discrimination	No. of Clients	Advice only under the Employment Equality Acts 1998-2015
Race	1	We provided legal advice to this client, a nurse, who experienced racial discrimination and harassment by her employer.

Ground of Discrimination	No. of Clients	Advice only under the Equal Status Acts 2000 – 2018
Housing	1	We provided legal advice to this client when his landlord refused to accept the Housing Assistance Payment.

Ground of Discrimination	No. of Clients	Advice only under the Intoxicating Liquor Acts 1988 - 2018
Membership of the Traveller Community	2	We provided legal advice to these clients who were refused entry to a licenced premises, i.e. a hotel bar.

Issue	No. of Clients	Advice only relating to Human Rights
Right to State Support	1	We provided legal advice to this client who applied for State Pension Non-Contributory and was refused on the basis of his employment history in the State failing to satisfy the habitual residence condition.
Right to Earn a Livelihood	2	We provided legal advice to two fishermen residing on the border between Ireland and Northern Ireland, who faced restrictions on their fishing activity following Brexit, which impacted negatively on the applicants' ability to fish and operate their business.
Right to Privacy	1	We provided legal advice to this client in relation to the disclosure of a 20 year old minor offence as part of a Garda vetting process.
Temporary Protection	1	We provided legal advice to this client, a Ukrainian national, who was removed from his Temporary Protection accommodation after he raised issues with the conditions in the hotel with management.

Legal representation assistance completed

— Cases under the Equal Status Acts 2000 – 2018

Case: A Client v. A State Body

Ground: Disability

Number of clients: 1

Issue: A grant of legal advice and representation was provided to this client, a disabled woman, who alleged that a State body had failed to provide her with transport that would have enabled her to avail of its services on an equal footing with others.

In bringing the claim, the woman said that putting the appropriate supports in place would help her to access educational opportunities appropriate to her needs, to facilitate suitable social opportunities and to help her become more independent. Otherwise, she would be entirely dependent on her family for support.

We assisted the client in referring a complaint of discrimination against the State Body to the WRC on the ground of disability.

Outcome: With the benefit of our legal assistance, the woman settled her claim on terms satisfactory to both parties.

Case: Sofiya Kalinova v. Griffith College

Ground: Disability

Number of clients: 1

Issue: A grant of legal advice and representation was provided to this client, Ms Kalinova, who is deaf and an Irish Sign Language ('ISL') user who had contacted Griffith College about enrolling in a preparatory course for the King's Inns (which trains barristers).

When Ms Kalinova asked if Griffith College would provide her with an ISL interpreter and note-taker to enable her to access the course on equal footing with other students, Griffith College cited its policy that ISL users would have to bear the costs of ISL interpretation themselves. Griffith College did not offer to meet with her, and nor did it explore any other means of accommodating Ms Kalinova's needs.

We assisted Ms. Kalinova in referring a complaint of discrimination against Griffith College to the WRC under the ESA on the grounds of disability and failure to provide reasonable accommodation.

Outcome: The WRC ordered Griffith College to pay Ms Kalinova €3,000 for the effects of discrimination. It also ordered the College to reevaluate its policies to ensure compliance with the Equal Status Acts, particularly the policy that requires deaf learners to bear their own ISL interpretation costs.

Case: A Customer v. A High-Street Bank

Ground: Disability

Number of clients: 1

Issue: A grant of legal advice and representation was provided to a client, who is visually impaired, who experienced ongoing difficulties in using the online banking services of a high street bank. Due to the obstacles encountered by the client, he could not access all the online services of the bank.

The difficulties included:

- the functionality of the bank's online banking app, including strong customer authentication, i.e. steps such as swiping and tapping on a specified location on the screen; and
- access to his bank statements online, as the accessibility features of the document had been disabled. These accessibility features are essential for visually impaired users to autonomously access digital documents either by using voiceover technology or a "read aloud" function.

We assisted the client in bringing a complaint to the WRC against the bank on the grounds of disability and failure to provide reasonable accommodation.

Outcome: With the benefit of our legal assistance, that complaint has now been settled on terms satisfactory to both parties.

Case: An Applicant v. An Insurance Company

Ground: Disability, Gender, Age

Number of clients: 1

Issue: A grant of legal assistance in the form of legal representation was provided to this client who alleged that she had been subjected to discrimination following a decision by an insurance company to offer her limited cover for an income protection product, based on a voluntarily disclosed family history of ovarian cancer. She submitted a complaint to the WRC under the ESA on the grounds of disability, gender and age.

Outcome: The case was settled prior to the Workplace Relations Commission adjudication taking place.

Case: A Tenant v. A Management Company

Ground: Housing Assistance

Number of clients: 1

Issue: A grant of legal advice and representation was provided to the client, a tenant, who alleged discrimination in the manner in which her application for Housing Assistance Payment ('HAP') was dealt with by a management company on behalf of the landlord, specifically the considerable delay by the management company in submitting the required documentation to the relevant local authority.

Outcome: With the benefit of our legal assistance, the matter settled in terms favourable to both parties.

Case: A Refugee v. An Airline

Ground: Race

Number of clients: 1

Issue: A grant of legal advice and representation was provided to this client, a refugee, who alleged that an airline discriminated against her on the ground of race when she was denied boarding to a flight.

We assisted the client in referring a complaint of discrimination against the airline to the WRC on the ground of race.

Outcome: With the benefit of our legal assistance, the matter settled favourably to the satisfaction of both parties.

Case: A Refugee v. An Airline

Ground: Race

Number of clients: 1

Issue: Similar to the previous case, this client, who is also a refugee, alleged that the same airline discriminated against her on the ground of race when she was denied boarding to a flight.

We assisted the client in referring a complaint of discrimination against the airline to the WRC on the ground of race.

Outcome: With the benefit of our legal assistance, the matter settled favourably to the satisfaction of both parties.

Legal representation only

— Cases under the Employment Equality Acts 1998 – 2015

Case: An Employee v. A Public Body

Ground: Disability / Reasonable Accommodation

Number of clients: 1

Issue: We provided legal advice and representative to a client whose employment had been terminated on grounds related to his disability and following a failure by his employer to provide him with reasonable accommodation in the workplace.

We assisted the client in referring a complaint of discrimination against his employer to the WRC under the EEA on the grounds of disability and failure to provide reasonable accommodation.

Outcome: With the benefit of our legal assistance, the complaint settled to the satisfaction of both parties, with the client being reinstated.

Case: A Chef v. A Public Body

Ground: Age

Number of clients: 1

Issue: We provided legal advice and representation to this client, a chef, who applied for a role with a public body. The selection criteria included a requirement of a third level qualification.

The chef, a skilled worker, alleged that the eligibility criteria was discriminatory on the grounds of age as it was significantly less likely that an older worker in the industry would hold third level qualifications rather than on-job training or apprenticeship only.

We assisted the client in referring a complaint of discrimination against the public body to the WRC under the EEA on the grounds of age.

Outcome: With the benefit of our legal assistance, the complaint settled on terms satisfactory to both parties.

Case: A Job Applicant v. A Company

Ground: Disability

Number of clients: 1

Issue: We provided legal advice and representation to a client, a job applicant, in relation to discrimination on the grounds of imputed disability, gender discrimination and harassment on the part of the potential employer. The job applicant was hoping to take up an apprenticeship mechanic course with the potential employer but was deemed ineligible due to their body mass index.

We assisted the client in referring a complaint of discrimination against the potential employer to the WRC under the ESA on the the grounds of disability and gender.

Outcome: With the benefit of our legal assistance, the complaint has now been settled on terms satisfactory to both parties.

— **Cases relating to Intoxicating Liquor Acts 1988 - 2018**

Case: Member(s) of the Traveller Community v. A Licenced Premises

Ground: Membership of Traveller Community

Number of clients: 8

Issue: We provided legal advice and representation to these clients, four couples, who brought four separate sets of proceedings against licenced premises in Co. Cork.

The clients attended the licenced premises to celebrate a birthday party and were refused entry at the door by the security staff despite having made reservations. They were provided with various different reasons for the refusal including that no booking could be found.

We assisted the clients in bringing a complaint against the licenced premises to the District Court on the grounds of direct discrimination and discrimination by association the ground of membership of the Traveller community.

Outcome: With the benefits of our legal assistance the matter settled favourably to the satisfaction of all parties, with the clients receiving financial compensation totalling €16,000, and an apology for the refusal of service.

— Cases relating to human rights

Case: A Mother and Baby Home Survivor v. Minister for Children, Equality, Disability, Integration and Youth

Ground: Mother and Baby Home Redress Scheme

Number of Clients: 1

Issue: We provided legal advice and practical assistance to this client, who was born in a Mother and Baby Home and was subsequently adopted (but spent less than six months living in the home).

The grant provided legal advice and practical assistance in relation to the client's eligibility under the Mother and Baby Home Redress Scheme.

Outcome: The individual decided not to proceed with the grant.

Case: A Member of the Traveller Community and Ors v. Galway City Council, The Minister for Housing, Local Government and Heritage, Ireland and the Attorney General

Ground: Housing / Membership of the Traveller Community

Number of clients: 3

Issue: We provided legal advice and representation to this family, who are members of the Traveller community, in relation to their housing conditions. They had previously been residing in sub-standard conditions on a halting site.

We assisting the family in initiating High Court plenary proceedings against the Local Authority and the State.

Outcome: As we were unable to make contact with the family over a considerable lengthy period of time, we applied to the High Court to come off record in the proceedings and consequently, our involvement in the proceedings concluded.

Case: A Client v. Department of Social Protection

Ground: Social Welfare / State Support

Number of clients: 1

Issue: We provided legal advice and representation to this client, who received a refusal of her application for State Pension (Non-Contributory). The Department of Social Protection refused the client's application for the State Pension (Non-Contributory) notwithstanding the fact that she was in receipt of Stamp 4 Leave to Remain. The Department of Social Protection asserted that her immigration status did not entitle her to social welfare.

We assisted the client in appealing the decision to the Social Welfare Appeals Office, which was refused. We then assisted the client in pursuing a review of the decision with the State Pension (Non-Contributory) office.

Outcome: With the benefit of our legal assistance, the client was informed that her application for State Pension (Non-Contributory) had been accepted and that she is entitled to receive payments going forward, as well as all payments backdated to the original date of application.

Case: Ukrainian Roma Refugees v. Minister for Justice

Ground: Temporary Protection

Number of clients: 31 clients (across seven family groups)

Issue: We provided legal advice and representation to seven separate family groups of Ukrainian nationals of Roma ethnicity in relation to their applications for Temporary Protection in Ireland under section 60 of the International Protection Act 2015.

The clients fled the war in Ukraine. However, upon arrival at the Temporary Protection Centre, their applications for Temporary Protection were initially refused.

We wrote to the Department of Justice and then assisted the clients with new applications for Temporary Protection, together with evidence in support of their application. In five of the seven cases, a solicitor from the Legal Team attended the Temporary Protection Centre with the clients to reapply for Temporary Protection.

Outcome: Temporary Protection was granted to each of the families, save for one family who were refused and subsequently decided to return to Ukraine.

Case: International Protection Applicants v International Protection Accommodation Service

Ground: International Protection / Reception Conditions / Accommodation

Number of clients: 11 clients relating to 11 separate cases

Issue: We provided 11 separate grants of legal assistance and limited legal representation to 11 separate applicants for international protection who had not been provided with accommodation, supports or the required information in relation to their material reception conditions. The clients made their applications for international protection in early 2023 and had been street homeless and destitute from that date. We granted legal advice and limited legal representation with respect of the failure to provide material reception conditions to these applicants for international protection.

Outcome: Following our advice and advocacy, the clients were allocated accommodation and were no longer street homeless and destitute.

Case: A Client v. International Protection Accommodation Service

Ground: International Protection / Reception Conditions / Accommodation

Number of clients: 1

Issue: We provided legal advice and legal representation to a client who had made an application for international protection, but who had not been provided with material reception conditions. He was street homeless and destitute. The Commission advocated on his behalf in respect of the failure to provide material reception conditions to the applicant. The client instructed us to pursue legal action and we issued legal proceedings in the High Court. The client was accommodated after the institution of legal proceedings and instructed that he did not wish to pursue the case any further.

Outcome: The proceedings were formally withdrawn from the High Court with no order.

Case: A Client v. International Protection Accommodation Service

Ground: International Protection / Reception Conditions / Accommodation

Number of clients: 1

Issue: We provided legal advice and limited representation to a client who had made an application for international protection and was street homeless and destitute at that time. Shortly after the client initially engaged the Commission, it became clear that the client had previously been accommodated by IPAS. We advised the client on his right to material reception conditions in those circumstances.

Outcome: The client was provided with advice by the Commission.

Case: A Client v. International Protection Accommodation Service

Ground: International Protection / Reception Conditions / Accommodation

Number of clients: 1

Issue: We provided legal advice and representation to a female client who was evicted from her IPAS accommodation in the absence of any procedure or prior notification. The client was street homeless and without accommodation when she sought the Commission's legal assistance.

Outcome: Following our advice and advocacy, the client was accommodated and was no longer street homeless and destitute.

Case: A Client v. International Protection Accommodation Service

Ground: International Protection / Reception Conditions / Accommodation

Number of clients: 1

Issue: We provided legal advice and representation to a client whose offer of IPAS accommodation was withdrawn in the absence of any procedure or prior notification. The client was street homeless and without accommodation. The client instructed us to pursue legal action and we issued legal proceedings in the High Court. The client was re-accommodated after the institution of legal proceedings and instructed that she did not wish to pursue the case any further.

Outcome: The proceedings were formally withdrawn from the High Court with no order.

— Quotes:



I am whole heartedly thankful to IHREC for support and legal advice. It will definitely have a positive impact on my life in the future.”



I am very glad that my case hopefully will lead to a reduction in people being discriminated against when they don't have academic qualifications for work they are well able to do, especially older workers for whom academic qualifications were not the norm when they started work. I'm very grateful for IHREC's work on this case. My experience of the WRC process is that it is not designed to facilitate a lay complainant. IHREC's work on my case made all the difference. The IHREC was very supportive, setting out the issues clearly, keeping me up to date on the case and explaining the decisions I had to make.”



The injustice in my case was remedied. Both parties acted in good faith. Obtaining and working toward my desired outcome reinstated my faith in people in authority, and my hope for a better future for myself”



My case was against a very well-resourced company with access to a high quality legal team. IHREC’s assistance levelled the playing field. I felt that I received high calibre legal advice which enabled me to keep progressing with the case. It was also less stressful to take the case with legal assistance. Prior to that I was trying to navigate the system by myself. My case was appraised by IHREC so I understood that the case had merit. My case was ultimately settled. It was a good outcome for me and most importantly it’s allowed me to move forward with my life.”

Own name proceedings

For the first time since the establishment of the Commission, we used our powers under section 41 of the IHREC Act, and brought proceedings before the High Court in our own name, seeking to address the State's failure to provide for the basic needs, including accommodation, of people recently arrived in Ireland and seeking asylum.

The Commission brought the novel legal proceedings after making a number of interventions on the issue during the course of the year. The Commission wrote to the Minister on a number of occasions during the year to raise our concern regarding the failure to provide for the needs of IP applicants. We also issued public statements setting out these concerns. We provided legal assistance to homeless IP applicants affected by the State's failure to then provide for their basic needs, including accommodation, to advise them on their legal rights and to advocate on their behalf during the year and, we also acted in our *amicus curiae* function ('friend of the court') in a case where the High Court held that the Minister's failure to provide homeless IP applicants with material reception conditions was unlawful, and amounted to a breach of their right to dignity under the EU Charter of Fundamental Rights.

In these proceedings, we are seeking a High Court declaration that the State's failure to provide for the basic needs of IP applicants is in breach of the EU Charter of Fundamental Rights, the ECHR and/or the Constitution. We are also seeking an order requiring the Minister to provide material reception conditions, including accommodation, and/or sufficient financial assistance to meet the basic needs of applicants.

Case: The Irish Human Rights and Equality Commission v. The Minister For Children, Equality, Disability, Integration and Youth, Ireland and The Attorney General

Court: High Court

Date of Commencement: 21 December 2023

Status of Case: Ongoing

Details: The Irish Human Rights and Equality Commission brought proceedings before the High Court in its own name, seeking to address the State's failure to provide for the basic needs, including shelter, of people recently arrived in Ireland and seeking asylum.

Applicants for international protection ('IP applicants') are entitled to receive material reception conditions under EU and Irish law. Since 04 December 2023, not all IP applicants arriving in Ireland have been offered State accommodation.

The legal action brought seeks to compel the State to fulfil its legal obligations to provide for the basic needs of IP applicants, including the provision of shelter, food and access to basic hygiene facilities. It also seeks declarations from the Court that the failure to provide for the basic needs of IP applicants breaches the human rights of the people affected.

In bringing the application, the Commission advised the High Court that it had written to the Minister indicating its intention to use this legal power for the first time since its establishment, because of the gravity of the situation and the nature of the destitution and risk faced by unaccommodated IP applicants.

Outcome: The case is ongoing.

Acting as *amicus curiae*

We 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*, we do 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 the year, we were involved in eight cases as *amicus curiae* in the Superior Courts, of which seven completed during the course of the year.

During the year, we sought and were granted liberty to intervene as *amicus curiae* in six additional cases, of which four completed during the year.

At year end therefore, we were involved in three ongoing cases as *amicus curiae*.

Our *amicus curiae* submissions are published on our website once the hearing of the matter has completed.

For more recent developments in relation to these and other legal cases where the Commission is exercising its *amicus curiae* role, please visit our website.

— Completed cases

Work completed on 11 *amicus* cases during the year.

Details of the completed cases are set out in the tables below:

Case: AB (a minor suing by his father and next friend ROB) v. Health Service Executive and Others

Court: Court of Appeal

Commission Intervention: 17 January 2022

Hearing Date: 22 January 2022

Judgment: 10 November 2023

Details: These proceedings involved a child who was referred to the HSE for a disability assessment under the Disability Act 2005. Under its new Standard Operating Procedure, the HSE diagnosed the child as having a disability, described the symptoms and referred the child to appropriate services. The HSE did not, however, diagnose the disability, saying that it was not required to do so under the Disability Act 2005.

The child's parents contended that the HSE's approach resulted in an incomplete assessment that would have a negative impact on the child and they challenged the HSE's decision in the High Court, which found in favour of the HSE. The child's parents then appealed the decision of the High Court to the Court of Appeal.

Commission's Role: In our role as *amicus curiae*, we argued that the HSE's interpretation of the Disability Act potentially deprived disabled children of their fundamental rights. The Commission submitted that the Disability Act should be interpreted in line with the UN Convention on the Rights of Persons with Disabilities ('CRPD') and Article 42A of the Constitution.

Outcome: The Court of Appeal found that the HSE's Standard Operating Procedure had interfered impermissibly with a disabled child's rights and furthermore that the HSE is required to diagnose a child's disability in all but the most exceptional of circumstances.

Case: A, B and C (A minor suing by his next friend, A) v. Minister for Foreign Affairs and Trade

Court: Supreme Court

Commission Intervention: 16 May 2022

Hearing Date: 28 and 29 June 2022

Judgment: 9 May 2023

Details: These proceedings considered the citizenship of a child (known as 'C') born through surrogacy in the UK in 2015. When the child was born, his surrogate mother and his biological father (known as 'B'), were recorded on his birth certificate as his parents. A parental order was subsequently issued under UK law, which reassigned the parentage of the child to his biological father, B, and his intending parent (known as 'A'). A, who was an Irish citizen, subsequently applied for an Irish passport for C which the Minister for Foreign Affairs indicated would be refused as the Minister did not accept that, under Irish law, the non-biological parent, A, was the parent of C at the time of his birth, and contended that the child was therefore not considered to be an Irish citizen pursuant to the Irish Nationality and Citizenship Act 1956.

The High Court ruled that the child was entitled to Irish citizenship, however, the Minister successfully applied for a leapfrog appeal to the Supreme Court on the basis that the cases raise matters of public importance.

Commission's Role: In our role as *amicus curiae*, we set out a position that under the Constitution, a child born through surrogacy is as entitled as any other child

to the recognition and protection of their family relationships. These protections can be seen as an aspect of the child's dignity, their personal rights and their family rights. We urged the Court to consider compelling the recognition of the child's right to citizenship at birth. We noted that despite its relative prevalence, surrogacy remained entirely unregulated in Irish law. In our legal submissions to the Court, we set out that a denial to a child of the citizenship of their parent may adversely affect their life prospects and well-being in a number of ways, including the creation of a two-tier status within the family, whereby some of the family's children are Irish and thereby EU citizens and other children are not.

Outcome: Judgment was handed down on 9 May 2023. The Court upheld the State's appeal of the decision of the High Court. This was done essentially on principles of statutory interpretation: specifically section 7(1) of the 1956 Act, with reference to the limited definition of parent within that statute, and the section requiring the parent to be an Irish citizen at the time of the birth rather than subsequent to the birth. It was held that the non-biological father was not a father at the time of the birth, as per the statutory scheme. The Court did not make any finding with respect of the constitutionality of the provision or its incompatibility with the ECHR on the basis that neither were pleaded in the case. The Court made some general comments regarding constitutional equality provisions. The Court's judgment indicated the complex legal and policy issues arising in the area of surrogacy and the need for legal reform to bring clarity to these issues.

Case: Jaimee Middlekamp v. Minister for Justice

Court: Supreme Court

Commission Intervention: 15 June 2022

Hearing Date: 18 October 2022

Judgment: 1 February 2023

Details: These proceedings considered whether a non-EEA applicant, who had been granted a finite permission to reside and work in the State, and who had undertaken to leave after that permission expires, was entitled to have their rights to family and private life as protected by Article 8 of the European Convention on Human Rights considered when seeking a change of immigration status under section 4(7) of the Immigration Act 2004.

Commission's Role: In our role as *amicus curiae*, we focused on the duty on the Minister to consider an applicant's fundamental rights when making a decision under section 4(7) of the Immigration Act 2004. We also discussed whether

protections under the European Convention on Human Rights and the Irish Constitution conferred an obligation on the Minister to consider private and family life rights in immigration decision-making.

Outcome: The Supreme Court found that while the Minister was obliged to consider fundamental rights when making decisions, in this case the Minister had done so.

Case: The People (at the suit of the Director of Public Prosecutions) v. Patrick Quirke

Court: Supreme Court

Commission Intervention: 06 October 2022

Hearing Date: 12 and 13 December 2022

Judgment: 20 March 2023

Details: These proceedings considered the requirement to identify what might be searched for when applying for a search warrant.

A search warrant used by the Garda Síochána to seize an electronic data device belonging to Mr Quirke (who was convicted of murder in May 2019) was challenged at trial, and on appeal, on the basis that the search warrant did not identify that computers were to be seized as part of the search, nor was it contained in the information grounding the application for a search warrant to the District Judge. The challenge to the search warrant was unsuccessful at the trial and on appeal before the Court of Appeal.

Commission's Role: In our role as *amicus curiae*, we highlighted the need to safeguard people's privacy rights, while also ensuring that search warrants secured by Gardaí are robust, and lead to effective and fair investigations. We argued that there is a duty on Garda members applying for a search warrant to be clear about their intention to search for and seize electronic devices.

Outcome: The Supreme Court found that, where an application for a warrant is made, there is a duty to ensure that items sought are specified in a general way, so as to enable a meaningful intervention by an independent judicial process.

Case: GO and Others v. Minister for Justice

Court: Supreme Court

Commission Intervention: 24 November 2022

Hearing Date: 14 and 15 March 2023

Judgment: 14 November 2023

Details: These proceedings considered fundamental rights in the context of deportation orders. In particular, it considered whether, and to what extent the Minister for Justice should expressly refer to, and consider the possible infringement of constitutional rights that a decision to deport a foreign national parent of children residing lawfully in the State would entail. The Supreme Court also considered whether there was evidence of a “meaningful involved relationship” between the parent and children concerned.

Commission’s Role: In our role as *amicus curiae*, we assisted the Court with submissions on the fundamental rights of individuals subject to Deportation Orders, in particular their family rights under the Constitution.

Outcome: The Supreme Court found that GO had not established that he had a meaningful relationship with his children and therefore had not advanced any exceptional circumstances that would raise Article 8 rights to prevent the State from deporting him.

Case: Stephen Tallon v. Director of Public Prosecutions, Ireland and the Attorney General

Court: Court of Appeal

Commission Intervention: 13 January 2023

Hearing Date: 27 January 2023

Judgment: 25 May 2023

Details: In these proceedings, an anti-social behaviour order was made against Mr Tallon, who was later convicted for breaching the anti-social behaviour order on two occasions. The case centred on the operation of Part 11 of the Criminal Justice Act, 2006, which allows for the making anti-social behaviour orders. A breach of an anti-social behaviour orders made under Part 11 of the Criminal Justice Act, 2006 is a criminal offence.

Commission's Role: In our role as *amicus curiae*, we addressed the key human rights issues in the case, including the availability of judicial review, the requirement for legal certainty in relation to the terms of an anti-social behaviour order, and the statutory and constitutional requirement for proportionality in the framing of anti-social behaviour orders. This means that the use of anti-social behaviour orders has to be in line with the existing legal framework and must consider the rights of those on the receiving end of them.

Outcome: The Court of Appeal held that the anti-social behaviour order in this case violated the principle of legal certainty. Specifically, any order that imposes an obligation to abide by it, on pain of criminal sanction, must be clearly expressed and indicate precisely what the person who is the subject of the order is required to do, or refrain from doing.

Case: V v. Minister for Health, Minister for Justice, Ireland and Attorney General and Others

Court: High Court

Commission Intervention: 18 November 2020

Hearing Date: N/A

Judgment: N/A

Details: These proceedings centred on a man ('Mr V') with an intellectual disability who wanted to marry his fiancée. The couple were prevented from marrying, following an application to the High Court to have Mr V made a Ward of Court. The High Court granted an injunction to prevent the ceremony from going ahead.

Mr V's lawyers argued that a wardship inquiry was not the appropriate forum to determine his capacity to marry, because the legal tests for wardship and for the decision-making capacity to marry are different. They argued that if Mr V was made a ward of court, then the Marriage of Lunatics Act 1811 would prevent him from marrying his fiancée. Accordingly, he would be prevented from marrying his fiancée before it could be determined whether he has the capacity to marry. Mr V challenged the High Court's decision to hear the wardship inquiry before determining whether or not he had capacity to marry.

Commission's Role and Outcome: Following the State's repeal of the Marriage of Lunatics Act and the commencement of the Assisted Decision Making Capacity Act 2015 on 26 April 2023, the Commission's involvement with the matter concluded.

Case: CW v. Minister for Justice, Ireland, Attorney General and Others

Court: Supreme Court

Commission Intervention: 17 February 2023

Hearing Date: 7 and 8 March 2023

Judgment: 28 August 2023

Details: These proceedings involved the conviction of a man for an offence of engaging in a sexual act with a child under the age of 17 contrary to section 3(1) of the Criminal Law (Sexual Offences) Act 2006, as substituted by section 17 of the Criminal Law (Sexual Offences) Act 2017. The High Court Judge found that the defence of reasonable mistake as to age, as set out in that section, could not be regarded as a special defence or exception as it imposed a legal, as distinct from an ‘evidential’, burden on the accused person and could amount to a breach of the presumption of innocence. The State brought a leap frog appeal to the Supreme Court of the decision of the High Court that declared that section 3(5) of the Criminal Law (Sexual Offences) Act 2006 was unconstitutional.

Commission’s Role: In our role as *amicus curiae*, we submitted that a law that reverses the burden of proof onto an accused person is potentially legitimate. However, compelling justification is required for a reversal of the burden of proof.

We argued that the Court must be satisfied that it does not interfere with an accused person’s right to a fair trial as protected by the Constitution. We went on to say that justification for the reversal of the burden of proof is not simply demonstrated by reference to social policy or the gravity of an offence, rather the justification required is that without it the prosecution of the offence would otherwise be rendered “unworkable”.

Outcome: The Supreme Court affirmed the decision of the High Court that section 3(5) of the Criminal Law (Sexual Offences) Act 2006 as substituted by section 17 of the Criminal Law (Sexual Offences) Act 2017 is unconstitutional.

The Supreme Court held that given the importance of the burden of proof and the presumption of innocence as core elements of the right to trial in due course of law in Article 38.1, it is not enough for the Oireachtas to consider that such a provision was desirable, convenient, expedient or useful.

Furthermore, the Supreme Court held that while the objective of the legislation was legitimate, placing the burden of proof on the defence on the balance of probabilities could not be justified and it created an unnecessarily high risk of conviction of a person who was so mistaken.

Case: In the Matter of B (a minor): Child and Family Agency v. Adoption Authority of Ireland and Others

Court: Supreme Court

Commission Intervention: 11 January 2023

Hearing Date: 18 and 19 April 2023

Judgment: 24 May 2023

Details: These proceedings centred on the adoption of a minor, (known as ‘B’) who has an intellectual learning disability. The proceedings were brought by the birth mother, (‘Ms. C’) against the making of an adoption order by the Court of Appeal, which had ruled that making the order was in the child’s best interests. Ms. C sought to have that order overturned on appeal to the Supreme Court. The Child and Family Agency and the Adoption Authority of Ireland opposed Ms. C’s appeal, saying that the adoption order should remain in place.

Commission’s Role: In our role as *amicus curiae*, we submitted that Article 8 of the European Convention on Human Rights, which concerns private and family life, generally imposed a positive obligation to safeguard the parent-child bond and the unity of the family, with certain exceptions relating to the safety and welfare of the child.

Outcome: The Supreme Court affirmed the Court of Appeal’s decision to make the adoption order.

Case: IKA v. Minister for Children, Equality, Disability, Integration and Youth, Ireland and the Attorney General

Plus the related case of: SY v. Minister for Children, Equality, Disability, Integration and Youth, Ireland and the Attorney General

Court: High Court

Commission Intervention: 15 March 2023

Hearing Date: 29 and 30 March 2023

Judgment: 21 April 2023

Details: These two separate sets of proceedings, which had similar facts, involved the State’s failure to provide material reception conditions of any kind, save for a small grocery store voucher, to certain applicants for international protection (‘IP applicants’) on arrival to the State. The matter comprised two separate claims

brought by male IP applicants who arrived in Ireland in February 2023 and were not provided with accommodation on arrival in the State. The applicants in these cases sought declarations from the High Court for breaches of the European Communities (Reception Conditions) Regulations 2018 and the EU Charter of Fundamental Rights.

Commission's Role: In our role as *amicus curiae*, we submitted that failure to provide for the basic needs for those seeking International Protection amounts to a breach of EU law, including the right to dignity under Article 1 of the EU's Charter of Fundamental Rights, and that current pressures on accommodation resources in Ireland did not relieve the State of those obligations.

Outcome: The High Court found that the Minister's failure to provide "material reception conditions" pursuant to the European Union (Reception Conditions) Regulations 2018 was unlawful, and that this failure was in breach of the applicants' rights under Article 1 of the Charter of Fundamental Rights of the European Union.

— Ongoing cases

At year end we were involved in three ongoing cases as *amicus curiae*. Details of ongoing matters are set out in the tables below:

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

Court: High Court

Commission Intervention: 1 July 2008

Status: Ongoing

Details: The proceedings raise 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: The proceedings are ongoing

Case: The People (at the suit of the Director of Public Prosecutions) v. Caolan Smyth

Plus the related case of: The People (at the suit of the Director of Public Prosecutions) v. Gary McAreavey

Court: Supreme Court

Commission Intervention: 29 March 2023

Hearing Date: 25 and 26 April 2023

Status: Ongoing

Details: These proceedings involve the rules on the admissibility of illegally obtained evidence and the right to a fair trial. The question arises as to whether it is consistent with the exclusionary rule, set out in *DPP v J.C.*, to carry out such a proportionality or balancing of rights assessment, if evidence is found to have been gathered with a conscious or reckless disregard of rights.

Commission's Role: In our legal role as *amicus curiae*, we submitted that breaches of rights under the Charter of Fundamental Rights of the European Union must be treated in the same way as breaches of the Constitution for the purposes of admitting or excluding unlawfully obtained evidence. We also argued that, in the circumstances, the test set out in JC was the appropriate test for determining the admissibility of evidence to be applied.

Outcome: Judgment is awaited.

Legal outreach

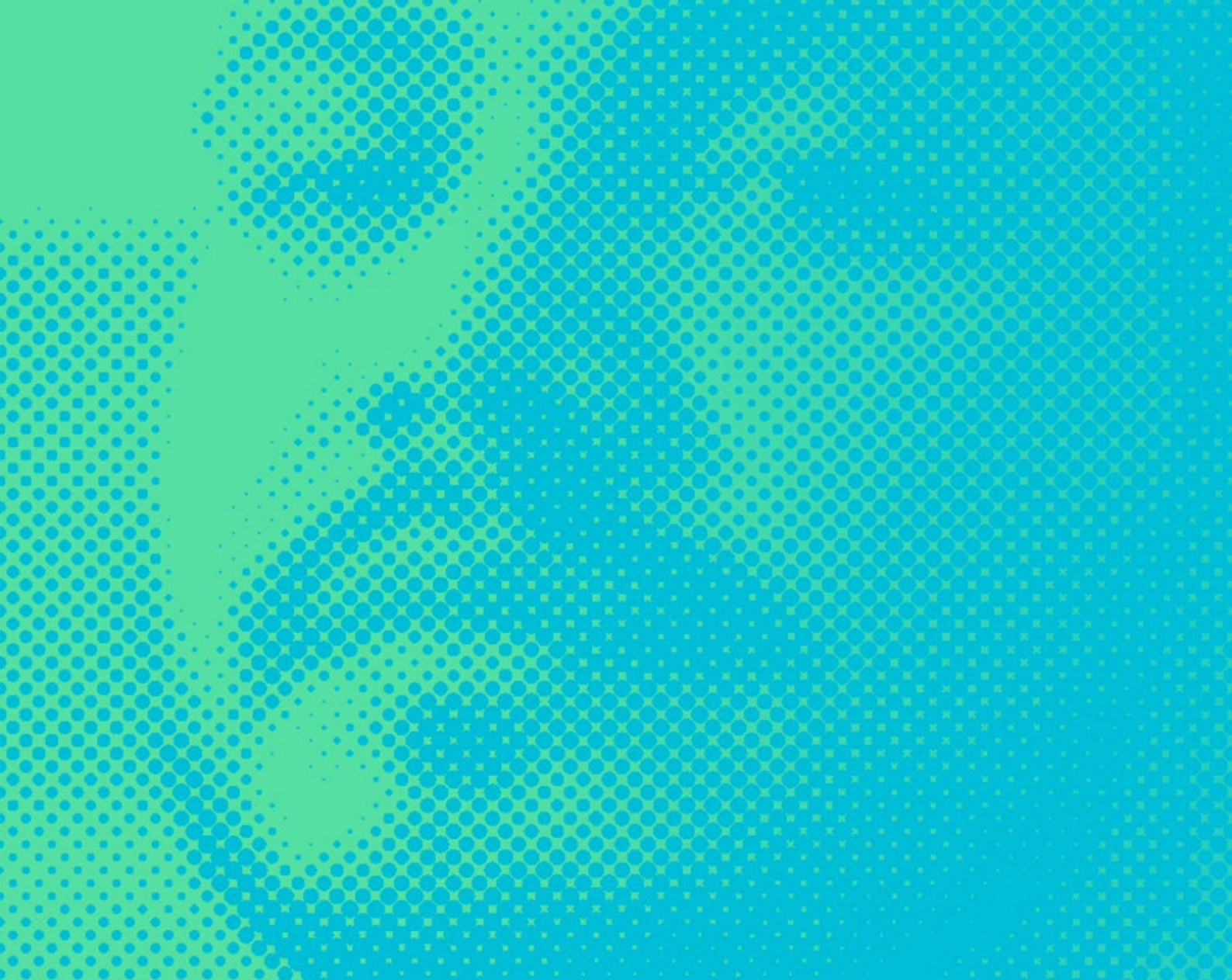
During the year, we engaged with a wide range of stakeholders.

We facilitated an information session for representatives from civil society on a range of issues relating to equality law including:

- taking cases to the Workplace Relations Commission;
- legal protections under the Employment Equality Acts and Equal Status Acts;
- the right of people with disabilities to reasonable accommodation in employment and when accessing services; and
- how to tackle gender discrimination in the workplace.

We also facilitated a CPD training event for members of the legal profession on 'A Practitioner's Guide to the Rights of Families at Inquests' following the publication of our Information Note on the Rights of Families at Inquests in 2022. The Information Note provides a roadmap to families of the deceased on the law, standards and procedures that apply at inquests, with a particular emphasis on their rights under human rights and equality law. The event discussed the practical issues that coroners, practitioners, and in particular families, face during the course of an inquest.

Strengthening legislation and addressing gaps



Preparing codes of practice

We have statutory powers under section 31(2) of the IHREC Act to prepare codes of practice in furtherance of one or more of the following aims:

- the protection of human rights;
- the elimination of discrimination;
- the promotion of equality of opportunity in employment; and
- the promotion of equality of opportunity in relation to those matters to which the Equal Status Acts apply.

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 the year, we:

- proceeded to the statutory consultation process on a draft Code of Practice on Discriminatory Advertising;
- undertook a statutory consultation process on a draft Code of Practice on Public Sector Duty;
- submitted, a final draft Code of Practice on Reasonable Accommodation to the Minister for Children, Equality, Disability, Integration and Youth, following completion of a statutory public consultation process.

Separate to the above, in 2022, we submitted a final draft Code of Practice on the Promotion of Family-Friendly Measures in the Workplace to the Minister for Children, Equality, Disability, Integration and Youth, which is still awaiting Ministerial approval.

Once signed by the Minister, Codes of Practice are published on our website.

Equality Reviews and Equality Action Plans

Equality Reviews are carried out under section 32 of the IHREC Act. We hold 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 1998-2015 and/or the Equal Status Acts 2000 - 2018. An account of each of these Equality Reviews is published on our website. We can also invite public or private bodies to prepare and implement Equality Action Plans to focus on specific areas emerging from equality reviews.

Equality Action Plan: Provision of Traveller accommodation and services

In late 2022, on foot of Equality Reviews commenced in 2019, we used our legal powers, under section 32(1) of the 2014 IHREC Act, to invite seven of the Local Authorities to prepare and implement an Equality Action Plan on the provision of Traveller accommodation and services. The selected Local Authorities were: South Dublin County Council, Limerick City and County Council, Tipperary County Council, Donegal County Council, Mayo County Council, Cork City Council and Wicklow County Council.

Our approach was informed by the responses of all the Local Authorities to the Equality Reviews, and ensuring a geographical spread that reflects a national reach, amongst other considerations. We provided general guidance to the selected Local Authorities to assist with the preparation and implementation of the Equality Action Plans. We also stressed that consultation with members of the Traveller community, the Local Traveller Accommodation Consultative Committee, and local and national groups representing members of the Traveller community, is an essential part of the implementation and success of these Equality Action Plans.

The seven Local Authorities submitted their final Equality Action Plans in July.

Accounts of the Equality Action Plans have now been published on our website.

Equality Review: Equality of Opportunity in a Sporting Organisation

We invited Gymnastics Ireland to carry out an equality review, consisting of an audit of the level of equality of opportunity that exists in relation to Gymnastics Ireland's provision of services, under the Equal Status Acts 2000 to 2018. The Equality Review will involve an examination by Gymnastics Ireland of its practices, and the procedures that it has in place to promote equality of opportunity generally in the provision of services. In particular, as part of the Equality Review, the Commission has invited Gymnastics Ireland to:

- identify all relevant current practices and procedures that relate to promotion of equality of opportunity by Gymnastics Ireland in the provision of services;
- assess the effectiveness of these practice and procedure in promoting equality of opportunity;
- identify and assess the practices and procedures Gymnastics Ireland utilises to handle complaints raising an allegation of discrimination;
- identify whether any issues of equality of opportunity arise; and
- outline any recommendations and/or findings from the equality review.

As of December this work is ongoing.

Legislative observations

Central to our mandate is ensuring that our legislators uphold and strengthen human rights and equality in the State. We do this by making detailed observations and recommendations on the human rights and equality implications of relevant proposed legislation.

During the year we made the following legislative observations:

Policing, Security and Community Safety Bill

In our submission to the Department of Justice, we recommended that the powers used by Government when issuing directives to policing oversight bodies must be clearly defined and accompanied with appropriate safeguards, in order to minimise political interference. We highlighted that parts of this Bill do not provide for sufficient independence from Executive control for the new policing bodies it establishes, namely, the Policing and Community Safety Authority, the Office of the Police Ombudsman, a new non-executive Board of An Garda Síochána, and the Independent Examiner of Security Legislation, and made recommendations regarding transparency for how appointments to these bodies are made and terminated. We also recommended that the legislation should be revised to provide for an independent human rights advisor to be appointed by the Policing and Community Safety Authority to ensure oversight of the implementation of human rights and equality standards in policing.

General Scheme of the Domestic, Sexual and Gender Based Violence Bill

In our submission to the Department of Justice, we called for a victim and survivor-centred agency that would safeguard the equality and human rights of

those that it will be providing services to, and that will ensure that the provision of services takes into account their specific needs. This includes structurally vulnerable groups, including women, girls, older women, minority ethnic women, migrant women, Traveller and Roma Women, disabled Women, LGBT+ women, victims of trafficking, women with addiction issues and women in (and exiting) prostitution. We also called for refuge accommodation commitments outlined in the Government's Third National Strategy on Domestic Sexual and Gender-Based Violence ('DSGBV') to be revised with a view to expanding capacity in order to comply with Council of Europe standards on ensuring protection of survivors and victims of DSGBV.

Planning and Development Bill

In our submission to the Minister for Housing, Local Government and Heritage and the Committee on Housing, Local Government and Heritage, we highlighted the deep-rooted relationship between planning and development and human rights and equality. We recommended that consideration be given to amending the Bill to put Traveller-specific accommodation in an exceptional category so that it is not exempted from the need to be approved by An Coimisiún Pleanála and could, therefore, be removed from the Part 8 process. We recommended that an alternative direct route for Traveller-specific accommodation to An Coimisiún Pleanála should then be considered, but that a route for planning approval for Traveller-specific accommodation through the planning authority should be retained, with certain provisions. Regarding access to justice, we recommended that the Bill should be amended to retain the current system whereby applications for leave to apply for judicial review can be made ex parte, with the Court retaining a discretion to direct that such an application is heard on notice, where certain circumstances require same.

Follow-up on previous Legislative Observations

Mother and Baby Institutions Payment Scheme Bill

Following our 2022 submission to the Department of Children, Equality, Disability, Integration, and Youth, we issued correspondence to Minister O'Gorman outlining that we were concerned that the issues we raised in our submission were not fully addressed within the Bill. We issued further correspondence to the Chair of the Joint Committee on Children, Equality, Disability, Integration and Youth, as the Bill progressed through the final stages, stating that we were of the view that a number of amendments could be made to the legislation to improve compliance with human rights and equality standards. We highlighted that two issues, in particular, deserved attention: the exclusion of children who spent less than 180 days in an institution and the exclusion of the harm faced by boarded out children from the scheme.

Appearances before Oireachtas Committees

Throughout the year, we made appearances before several Oireachtas Committees. We appeared before the Joint Committee on Autism highlighting the need for the State to approach all policy and legislation for Autistic, and all disabled people using a rights based and equality framework. We addressed the Joint Committee on Disability Matters on our work as Independent National Monitor and the importance of accurate data for disability proofing legislation and policies. At the Joint Committee on Assisted Dying, we spoke on the right to life, respect for human dignity, personal autonomy and the need for the legislation to protect certain at-risk groups. We also appeared before the Joint Committee on the Good Friday Agreement alongside the Equality Commission for Northern Ireland and the Northern Ireland Human Rights Commission.



Commission Member Frank Conaty, Senator Eileen Flynn and Commission Member Dr Rosaleen McDonagh before appearing at the Joint Oireachtas Committee on Autism

Legislative reform

Government review of the Education of Persons with Special Education Needs Act

In our submission to the Department of Education, we raised a number of issues with the current legal provision relating to the education of students with special educational needs. We highlighted that it has been twenty years since its enactment and significant parts of this legislation are still not in force, including assessments of a student's educational needs and the development of individual education plans detailing the educational supports required by a student. We expressed concern that the current legislation, policies and practices do not align with the vision of an inclusive education system as set out in international standards. We also called for a clear time-bound implementation plan for any legislative and policy changes required to transition to an inclusive education environment.

Independent Review of the Civil Legal Aid Scheme

In our submission to the Independent Review of the Civil Legal Aid Scheme, we highlighted a number of key reforms that we believe are necessary in order to bring the current system into line with best human rights and equality policy. Our recommendations included that the State conducts a review into the barriers which may impede the accessibility of the Scheme for structurally vulnerable groups, and that the Scheme be equality proofed to guarantee equality of access to civil legal aid and advice for all those who need to avail of the Scheme. We also recommended that all suspected victims of trafficking be proactively provided with adequate and early legal support.

Review of the Equality Acts

In our second submission (we also made a submission in 2022) to the Department of Children, Equality, Disability, Integration, and Youth, which was informed by advice from the Future of Equality Legislation Advisory Committee ('FELAC'), we highlighted a range of issues with the Equal Status Acts 2000-2018 and the Employment Equality Acts 1998-2015. We made over 55 specific recommendations for reform of these Acts, including on exemptions under the Equality Acts, reform of the protected grounds, strengthening positive duties, and on measuring effectiveness and data collection. We recommended that the legislation be amended to include discrimination on the grounds of socio-economic status and of criminal conviction. We also recommended the introduction of a 'purpose and principal clause' to guide implementation of the law.

Monitoring, reporting and enforcement

Human rights and equality treaty monitoring

As the National Human Rights Institution, we monitor human rights in Ireland. We provide recommendations and inform treaty monitoring bodies' assessments of how Ireland is meeting its obligations under international human rights conventions.



Commission Member Adam Harris and Chief Commissioner Sinéad Gibney at the UN Committee on the Rights of the Child

Convention on the Rights of the Child

We attended the review of Ireland under the Convention on the Rights of the Child, following our submission of a parallel report and participation in a pre-session meeting with the UN Committee on the Rights of the Child in 2022. Throughout the dialogue, we worked closely with civil society and continued to make interventions to the Committee, State officials and the Irish public to highlight ongoing priority concerns about Ireland's protection of children's rights. In particular, we focused on the areas of data collection, mental health, child trafficking, poverty and housing. The Committee published its Concluding Observations in February, and closely reflected our recommendations.

Convention on Preventing and Combating Violence Against Women and Domestic Violence

We met with the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence ('GREVIO'), following the submission of a comprehensive parallel report in 2022, to discuss our key concerns relating to domestic, sexual and gender-based violence. We subsequently prepared follow-up correspondence, responding to specific requests from GREVIO, raising emerging information on the Defence Forces and sharing recently-released data. GREVIO's Baseline Evaluation Report on Ireland was published in November, and its recommendations are closely aligned with our parallel report and engagement.

Revised European Social Charter

In March, the European Committee of Social Rights ('ECSR') published its Conclusions in respect of Ireland's 19th National Report on the implementation of the European Social Charter, covering Labour Rights. The Conclusions directly cite and reference our submission from July 2022, with the Committee finding that Ireland continues to be in breach of many of its Charter obligations.

As part of the subsequent reporting cycle, we submitted our Comments on Ireland's 20th National Report. Our report was part of the 'simplified reporting cycle' and covered five collective complaints against Ireland. Our submission drew on emerging evidence in the areas relating to the complaints, including the gender pay gap and women's representation on corporate boards; social housing; Traveller accommodation; and collective bargaining rights.

Sustainable Development Goals

We made a submission as part of Ireland's second Voluntary National Review ('VNR') by the UN High Level Political Forum on Sustainable Development. Our independent observations were submitted as an appendix to the State report as National Human Rights Institutions do not have full participation rights in this Forum. Given the high level of convergence between the 2030 Agenda for Sustainable Development and human rights frameworks, we underscored the need for additional measures to ensure a sustainable future, including to tackle economic inequality so that the most structurally vulnerable individuals and communities in our society are not left behind.

Framework Convention for the Protection of National Minorities

We met the Advisory Committee on the Framework Convention for the Protection of National Minorities, during its fifth evaluation visit to Ireland. During this meeting, the Committee sought information on a broad range of issues experienced by Travellers and Roma, and discussed our mandate. We also facilitated meetings between the Advisory Committee, civil society and public bodies in our premises. After the visit, we sent follow-up correspondence to the Committee, highlighting our key concerns in relation to the protection of Traveller and Roma rights in Ireland.

Committee on the Elimination of All Forms of Discrimination against Women

We submitted a parallel report to the UN Committee on the Elimination of Discrimination Against Women ('CEDAW') to inform its 'List of Issues Prior to Reporting' on Ireland, adopted in November. While there have been positive developments since Ireland's last examination in 2017, the Committee's previous Concluding Observations have not seen sufficient progress, and CEDAW has

not yet been incorporated into domestic law. We noted that while there are numerous strategies and action plans relating to gender equality in Ireland, they do not adequately improve rights protections for communities in practice due to insufficient monitoring and implementation.

International Covenant on Economic, Social and Cultural Rights

We engaged with civil society and rights-holders throughout the year to inform the drafting of our parallel report. It was approved in December for publication and submission to the UN Committee on Economic, Social and Cultural Rights in advance of Ireland's fourth periodic review under the International Covenant on Economic, Social and Cultural Rights in early 2024.

National equality strategies

We contributed to an independent evaluation, commissioned by the Department of Children, Equality, Disability, Integration and Youth, on the process for implementation of three equality strategies - the Migrant Integration Strategy, the National Strategy for Women and Girls, and the National Traveller and Roma Inclusion Strategy. The evaluation report was published in July.

Engagement in international networks

We have a mandate to give guidance to, and encourage, public bodies in developing policies and good practice in relation to human rights and equality.

We are a member of the:

- European Network of National Human Rights Institutions ('ENNHRI');
- European Network of Equality Bodies ('Equinet'); and
- Global Alliance of National Human Rights Institutions ('GANHRI')
- Management Board of the European Union Agency for Fundamental Rights ('FRA').

Throughout the year, we continued to contribute to, and benefit from active engagement in these networks.

ENNHRI

ENNHRI represents 46 national human rights institutions across Council of Europe Member States.

We participated in the ongoing work of ENNHRI's:

- Legal Working Group;
- Economic, Social and Cultural Rights Working Group;
- Convention on the Rights of Persons with Disabilities Working Group; and
- Communications Working Group.

As part of our engagement with ENNHRI, we responded to a consultation on increasing the meaningful participation of National Human Rights Institutions at the Council of Europe, and proposed our recommendations for priority action. We also provided information to other member institutions on our national experience of the criminalisation of begging, monitoring disability rights, autonomy in mental healthcare and supported decision-making, the provision of residential care services, and climate action and the just transition.

We submitted a response to ENNHRI's consultation for its Rule of Law Report, which was published in May. Our submission for the country chapter on Ireland identified a number of rule of law concerns across a range of thematic areas including:

- independence and effectiveness of the NHRI;
- human rights defenders and civil society space;
- implementation of European Courts' judgments;
- artificial intelligence;
- access to justice.

We directed a number of recommendations to the State on actions and measures to improve the rule of law environment in Ireland. The Report will feed into the preparations of the European Commission's Rule of Law in the European Union Report.

Equinet

Equinet Europe, the network of national equality bodies, brings together 49 equality bodies from 36 European countries.

During the year, we participated in the ongoing work of Equinet's:

- Communications Working Group;
- Disability Cluster;
- Research and Data Working Group;

- Policy Formulation Working Group; and
- Equality Law Working Group.

As part of our engagement in the Disability Cluster, we attended a workshop on de-institutionalisation in November, which focused on best practices and European advocacy opportunities.

This year, we joined Equinet’s Research and Data Working Group. In October, we attended an in-person meeting of the group in Brussels, and training on intersectionality and multiple discrimination in data collection methods.

As a member of the Working Group on Policy Formation, in October we contributed to a discussion and a survey on Equality Bodies work for equality in education. A report of the findings from the discussion and survey will be published in 2024.

We engaged with Equinet in relation to its position paper on Moving forward the European Commission’s proposals for Directives strengthening Equality Bodies and participated in the Equinet Standards Project Resource Indicators Taskforce.

GANHRI

We are a member of GANHRI, the Global Alliance of National Human Rights Institutions, which brings together over 115 NHRIs from all regions of the globe and provides leadership and support in the promotion and protection of human rights.

We met with GANHRI to share learning from our engagement in the Convention on the Rights of the Child review process, and inform its advocacy on the further enhancement of the participation rights of National Human Rights Institutions in United Nations and wider mechanisms.



European Engagement

In line with section 17 of the IHREC Act, we appoint, from amongst the membership of the Commission, a person to be a member of the Management Board of the European Union Agency for Fundamental Rights (‘FRA’).

Commission members Jim Clarken and Dr. Salome Mbugua (alternate) are the current Commission appointees.

Chief Commissioner Sinéad Gibney
receiving a copy of our A-rated
Re-Accreditation at the GANHRI AGM

EU Equality Data Subgroup

The Subgroup on Equality Data helps Member States to improve the collection and use of equality data. The Subgroup is facilitated by the Fundamental Rights Agency. As a member, we worked with the Subgroup to progress an EU guidance note on the collection and use of data for LGBTIQ equality, which was published in July. We also commenced work as national lead on a guidance note on the national implementation of the Subgroup's suite of Guidelines on Equality Data. In October, we attended the Subgroup meeting and country visit in Helsinki, Finland, and presented the first draft of the Guidance Note.

European Commission Advisory Committee on Equal Opportunities for Women and Men

We contributed to the work of the European Commission Advisory Committee on Equal Opportunities for Women and Men, which produced two opinions in the year:

- Opinion on prevention of gender-based violence and domestic violence
- Opinion on the role of social dialogue in implementing equal pay

European Mutual Learning

We attended a two-day meeting of civil servants and academics from a number of EU Member States, co-hosted by Ireland and Austria, on 'the role of men and boys in advancing gender equality and breaking gender stereotypes'. As part of this event, we delivered a presentation on the role of the National Equality Body in advancing gender equality, and highlighted work across our international reporting, domestic engagement, and public information functions.

Public Sector Equality and Human Rights Duty

All public bodies in Ireland are required to have regard to the need to eliminate discrimination, promote equality 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 (the 'Duty') has been part of Irish law since 2014, and is set out in section 42 of the IHREC Act.

Supporting the effective implementation of the Public Sector Duty

Throughout the year, we continued to innovate and to foster a heightened understanding and acceptance by Government Departments and public sector bodies of their responsibilities with regard to the Duty.

We implemented changes to our eLearning module to meet the needs of our users, implementing the findings of a survey that was carried out in 2022. The eLearning module provides public servants with an understanding of equality, human rights, the obligatory Public Sector Equality and Human Rights Duty, and how to apply it in their work.

By the end of the year, over 3000 public servants across 181 Public Bodies had registered to complete the module.

The module can be accessed on [our website](#).

Monitoring, reporting and enforcement

We launched our compliance-monitoring portal in December, which allows us to monitor public bodies compliance levels with section 42.2 of the IHREC Act.

We conducted compliance monitoring by checking whether the statutory requirement to publish an assessment of the human rights and equality issues and the policies, plans and actions that were proposed, or already in place to address these issues were incorporated into strategic plans of all public bodies. A public body must also report on progress against these actions in its annual report. Both the assessment of the issues, the related actions, and the report on progress against these actions, must be publicly accessible. This process was conducted by desk research and the data was entered on to the portal system. We subsequently invited 318 public bodies onto the portal to review the data that we had gathered and to submit a return to us with any clarifications or supplementary data.

The system allows us to compile accurate statistics in relation to compliance with the publishing requirements of the Public Sector Duty on a sectorial basis – see Appendix 9

Developing a Code of Practice

We invited public consultation on our draft Code of Practice on the Public Sector Equality and Human Rights Duty from key public body stakeholders. The results of the consultation were carefully considered and have been incorporated into the draft Code, where appropriate. It has been sent to the Minister for the Department of Children, Equality, Disability, Integration and Youth for approval. The Code will give practical guidance and assistance to public bodies on the measures they need to take to demonstrate compliance the Duty.

Engaging with the Public Sector

We had significant engagement with public bodies to support effective implementation of the Duty across the public sector. Using a strategic approach to delivering of training, workshops and guidance support, we continued to

engage with a wide range of public bodies across the public service, including nine Government Departments and 31 local authorities.

We delivered training on implementing the Duty to key public bodies in strategic areas such as the Health Sector and Higher Education.

Local government sector programme

During the year, we continued our strategic programme of work with the local government sector. All stakeholders involved in the local government sector, a total of 35 public bodies, engaged closely with us. In addition, we delivered two training sessions to the Association of Irish Local Government, providing support to 900 Elected Members of local authorities to increase their understanding of the Duty and the role that local councillors can take in supporting implementation as part of their reserved functions in local government. As part of the local government programme we worked with the Department of Community and Rural Development and Pobal in the production of two resource documents that support public bodies to engage with marginalised communities.



Bernie Bradley, Public Sector Duty Team
delivering training on the Duty to the Programme
Monitoring Committees

European Structural Investment Funds 2021-2027

We continued to work to ensure adherence to the enabling conditions relating to equality and human rights and the horizontal principle on equality and non-discrimination in the current European Structural and Investment Funds ('ESIF') programme. Over the year, we worked with a variety of Managing Authorities to support the progression of equality and human rights in the planning, implementation,

monitoring, reporting, and evaluation of the current programmes, supported by the guidance on Equality and Human Rights in EU Funds 2021-2027. We delivered training to the Programme Monitoring Committees of the ESIF. We have also engaged with a further 30 public bodies in relation to implementing the Duty as a framework to ensure appropriate consideration of the Enabling Conditions and the Horizontal Principles throughout the funding process.

Developing policies and programmes

Policy statements and submissions

Making recommendations to Government, the Oireachtas and policy makers to uphold and strengthen human rights and equality in the State is central to our mandate. During the year we made the following policy statements and submissions.

European Semester and the National Reform Programme

In our submission to the Department of An Taoiseach, we called on the Department to move beyond presenting the commitments and targets in relevant policy frameworks, such as the National Recovery and Resilience Plan, and to focus on social imbalances and the evidenced outcomes of these measures, including their impact on structurally vulnerable groups in practice. When the European Commission published its Country Report and Country Specific Recommendations for Ireland, it referred to many of the social and economic issues we prioritised within our submission.

Policy Statement on the Index-Linking of Welfare Payments (Welfare Indexation)

In our Policy Statement, we drew on stakeholder engagement and followed the work of the Oireachtas Committee on Budgetary Oversight, recommending that the Government introduces a system of welfare indexation as a matter of priority. The index-linking of welfare payments is the practice of increasing social welfare payments (including pensions), and / or tax credits and tax bands, in line with inflation and has been identified as a key tool to combat income inequality.

Policy Statement on the Incorporation of Economic, Social and Cultural Rights into the Irish Constitution

In our policy statement, we called for the inclusion of economic, social and cultural ('ESC') rights as core, justiciable rights in the Irish Constitution. As a first step, we recommended that a Joint Oireachtas Committee on a Constitutional Amendment for ESC rights be established, with a clear mandate to produce draft constitutional text for consideration by the Oireachtas. The statement emphasises that any such constitutional reform must be accompanied by appropriate statutory protections, policy measures and resource allocation.

Mid-term review of the Pathways to Work Strategy 2021-2025

In our submission to the Department of Social Protection, we set out our observations on access to work, decent work, and the Just Transition. We called for the mid-term review to focus on achieving systematic and sustainable change,

by addressing structural challenges during the second half of its lifetime. We highlighted the opportunity for the creation of more ambitious and targeted goals, developed for, and in consultation with, structurally vulnerable groups.

Policy Statement on a Just Transition

In our policy statement, we examined the overarching human rights and equality implications of Ireland's transition to a carbon-zero, climate-resilient economy. We focused, in particular, on national and international frameworks, socioeconomic rights, participation, research and data, business and enterprise, and accountability.



Still from our video on a Just Transition

Right to family reunification under the International Protection Act 2015

In our policy statement, submitted to the Department of Justice, we expressed concern that the International Protection Act 2015 is a retrogressive law, which fails to reflect the lived reality of family ties, relationships and support networks that exist in practice. We raised concern around how the Act has narrowed access to family reunification for beneficiaries of international protection and has introduced a short statutory time limit for applications. We called for the State to commit to undertake an independent and comprehensive review of the family reunification provisions with the intention of strengthening and expanding the provisions within the Act. We also recommended that the review of the statutory and policy framework on family reunification should be underpinned by relevant human rights and equality standards.

Policy Statement on Care

In our policy statement, we made over 40 recommendations to Government, the Oireachtas and the wider public sector on the cultural shift required to recognise care as a public good rather than a commercial product, and to meet human rights and equality standards for both paid and unpaid carers and those receiving care and support services. The statement called for care policies and programmes to address the gendered patterns of care; the need for an intersectional approach to tackle discrimination and embedded assumptions; the prioritisation of investment in wider public services; and the accompanying provision of rights-compliant supports and resources such as Personal Assistance to ensure disabled people can live independently.

Research

Our research aims to provide evidence for human rights and equality monitoring and to inform development of policy in the area of human rights and equality.

ESRI Research Programme

Our joint Research Programme on Human Rights and Equality with the Economic and Social Research Institute was established in 2022, with a timeframe of two years. The aim of the Research Programme is to create, improve and enhance knowledge on human rights and equality, in order to provide evidence for equality and human rights monitoring and for the development of policy in this area, with a specific focus on our Strategic Priority of Economic Equality. The Steering Group met in May and November. Work is underway on three papers, expected to be published in 2024.

- The Impact of the Pandemic on Equality in the Labour Market
- Adjusting Estimates of Poverty for the Cost of Disability
- Parents' Benefits- take up and implications for gender equality

Collective Bargaining and the Irish Constitution—Barrier or Facilitator?

We published a research paper by Dr Alan Eustace and Professor David Kenny examining a right to collective bargaining in Ireland. The paper analyses Irish and European law, on whether there is a constitutional right to collective bargaining and/or whether the Irish Constitution protects a statutory right to collective bargaining. The paper makes an important contribution to this area of labour rights, by finding that a statutory framework and protection for collective bargaining is essential.



Contributions to Research Working and Advisory Groups

We provided expert input and advice as invited members of research working groups. We are members of the National Disability Authority's Research Advisory Group for their Wards of Court Research Project, and the Department of Children, Equality, Disability, Integration and Youth's Policy Advisory Group for the Growing Up in Ireland National Longitudinal Study.

Data

Consistent, clear data collection is essential to ensure policies are non-discriminatory and are enabling equal participation in Irish life. We are committed to strengthening the foundation of equality data. Throughout the year, we engaged in gathering poll data and contributed to a number of data-focused groups.

Annual poll

Our annual poll is a cross-sectional and representative survey repeated annually. The data was collected via an online poll in October and was administered to 1201 participants aged 18 or over. The poll shows that 92% of people in Ireland agree that human rights are important for creating a fairer society in Ireland, yet almost 1 in 3 people have witnessed racism in Ireland in the past 12 months, while 1 in 7 people have witnessed discrimination due to a disability in the previous 12 months. The poll highlights the public's desire for direct provision to end, with almost 2 in 3 people believing an end date should be set and a similar number feel that asylum seekers are exposed to racism and discrimination. Additionally, the public has a growing concern about Artificial Intelligence ('AI'), with 1 in 4 concerned that AI can replace their job in the next 10 years and a strong desire for regulation.



85% believe that everyone should be treated equally

Poll on the International Covenant on Economic, Social and Cultural Rights

This year, we issued a cross-sectional and representative survey on economic, social and cultural rights. The data was collected via an online poll in November and was administered to 1,200 participants aged 18 or over. In this poll, 4 out of 5 respondents agreed that the gap between the richest and poorest in society is increasing, while 2 in 3 agreed that rising cost of living does not affect everyone equally. The poll also found that 47% of people believe their income allows them to adequately plan for the future; 56% agree that their home is located near reliable public transport; and 40% had difficulties accessing a doctor in the last 12 months. In relation to solutions, 70% of respondents shared their view that investing directing in communities is a good way to address poverty, social exclusion and inequality.

Other polls

We ran additional polls to capture public attitudes towards, and awareness of, equality and human rights protections after Brexit, and to inform planning for the For Equality in Ageing national awareness campaign, by better understanding the views of the public on older people in Irish society.

Equality Data Event

We hosted an awareness-raising and information exchange event on equality data, with attendees from civil society, the public sector, researchers and academics. The event heard presentations on the National Equality Data Strategy and examples of good practice and advocacy from civil society and universities.

UN Expert Group Meeting on Citizen's Data

We were invited by the Danish Institute for Human Rights to attend the United Nations Expert Group Meeting on Citizen Contributions to Data in Copenhagen. During the session, expert attendees worked to develop the UN Conceptual Framework and on Citizen-Generated Data.

Work with Public Bodies to Improve Equality Data

We are active participants in the National Equality Data Strategy Working Group, the Public Bodies Data Protection Officers Network, the Central Statistics Office Formal Statisticians Liaison Group and Census Advisory Group, and the Roadmap for Social Inclusion Technical Advisory Group.

Enhancing the standards of Anti-Trafficking response in Ireland

Our role as Ireland’s Independent National Rapporteur on Trafficking in Human Beings was established by Statutory Instrument No. 432 of 2020 – European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020, with a view to assessing trends, measuring results, gathering data and reporting.

Our purpose as Rapporteur is to provide effective, independent and meaningful oversight of the State’s actions to combat human trafficking and protect victims by highlighting the strengths, gaps, and identifying trends.

Publication and launch of the Second Evaluation Report of the Rapporteur

We launched our Second National Evaluation Report on the State’s efforts to tackle and address human trafficking in Ireland. The report included data and analysis, as well as thematic research on topical matters. The conference-launch was our first hybrid in-person and webinar event. Speakers included survivors and national and international experts.



Executive Secretary of the Council of Europe Convention on Action Against Trafficking in Human Beings ('GRETA') Petya Nestorova and Chief Commissioner Sinéad Gibney

Criminal Law (Sexual Offences and Human Trafficking) Bill

In our submission to the Department of Justice, we made 46 recommendations to ensure the Bill protects the safety and recovery of victims of trafficking.

Recommendations focused on the threshold for identification, the use of the international protection system for victims of trafficking, the lack of clear immigration rules for victims as part of their assistance, the inadequate child-specific protections, and the need for a statutory protection from prosecution for victims.

We subsequently engaged with members of the Oireachtas at an all-party briefing in Leinster House, on EU Anti-Trafficking Day, to communicate our concerns and highlight the amendments needed to strengthen the Bill, and to ensure the proper functioning of the National Referral Mechanism.

Human Trafficking Policy and Submissions

In our role as Rapporteur, we provided trafficking-specific analysis and recommendations in areas that impact on victims of trafficking and in the overall response to combat trafficking. Examples include the contributions to our submissions on the General Scheme of a Domestic, Sexual and Gender Based Violence Agency Bill; the Law Reform Commission on Compensation for Victims of Crime; the Independent Review of Civil Legal Aid Scheme; and the parallel report to UN CEDAW on the List of Issues Prior to Reporting.

We welcomed the publication of the Third National Action Plan to Prevent and Combat Human Trafficking 2023-2027 ('NAP'), following extensive engagement with the Department of Justice.

We welcomed the significant child trafficking recommendations made by the CRC in their Concluding Observations on Ireland. Importantly, the Committee reiterated our recommendations on the need for the State to:

“(a) Establish a national referral mechanism for the identification and referral of children who are victims of trafficking and ensure their access to psychological support, legal assistance and other support services, in line with the recommendations of the national rapporteur on the trafficking of human beings.”

We joined the 'Health and Social Care Education and Human Trafficking Forum', that was formed in April, to offer our expertise and aid in educating future professionals in human trafficking, and to improve identification and prevention efforts. The Group aims to raise awareness and recognition by health professionals of their role in assisting in the identification and care of victims of human trafficking.

We also joined Tusla's 'Working Group to examine and progress Tusla commitments under The Second and Third National Action Plan to Prevent and Combat Human Trafficking in Ireland'. The Working Group is multi-disciplinary and include both State Agencies and Civil Society Organisations.

Survivor-Led Input

The involvement of survivors is a cornerstone to our work and we engaged extensively with victim-survivors through a series of survivor consultations.

Engagement with the EU Network of National Rapporteurs and Equivalent Mechanism on Human Trafficking

Throughout the year, along with the Department of Justice (National Trafficking Coordinator), the EU Civil Society Platform, and the Inter-Agency Coordination Group against Trafficking in Persons ('ICAT'), we attended meetings of the EU Network of National Rapporteurs and Equivalent Mechanisms, focused on various aspects of addressing trafficking in Human Beings, including the international cooperation, responding to the war in Ukraine and revision of the EU Anti-Trafficking Directive.

We also responded to a questionnaire on the online dimension of trafficking in human beings from the EU Anti-Trafficking Coordinator and the Spanish National Rapporteur (as part of the EU Spanish Presidency), using data from chapter two of our Second Evaluation Report, focused on technology-facilitated trafficking in Ireland.

Consultations, Collaborations and Training

We held a number of consultations and roundtables with Civil Society Organisations during the year.

In March, the Swedish Presidency of the Council of the European Union hosted a Conference on Trafficking in Human Beings: 'Prevention models to address the demand for trafficking for sexual purposes'. We attended meetings with the OSCE Special Representative on Human Trafficking, the Swedish Rapporteur on Trafficking, and Civil Society Organisations, as well as meeting with the French and Finnish National Rapporteurs.

We also attended OSCE/ODIHR training on 'Addressing human trafficking risks in light of military attack on Ukraine: Training for civil society and frontline responders' in Poland.

We were invited by the Permanent Mission of Ireland to the OSCE to present our work as a National Rapporteur and shared comments on the proposed National Referral Mechanism for victims of trafficking in Ireland at the OSCE Joint Committee Meeting. We also delivered a presentation on the role and purpose of the Irish National Trafficking Rapporteur at an anti-trafficking forum in Astana/

Kazakhstan, co-hosted by the OSCE Office of the Special Representative on Human Trafficking.



Attendees at the European Forum Against Human Trafficking for Forced Labour and Labour Exploitation in Sweden

We travelled to Sweden to attend the ‘European Forum Against Human Trafficking for Forced Labour and Labour Exploitation’ organised by the Council of the Baltic Sea States and the National Coordinator against Prostitution and Trafficking in Human Beings at the Swedish Gender Equality Agency. The Forum was an opportunity to meet and exchange information with a wide range of EU stakeholder including labour inspectorates, police, prosecutors, judges, social workers, civil society or academia.

We hosted a roundtable for experts in human trafficking and forced labour to facilitate knowledge exchange and expertise, and to identify priority reforms necessary to better combat of this form of exploitation in Ireland. This was chaired by Professor Kathleen Lynch. The team was joined by experts from the Migrant Rights Centre Ireland, the Immigrant Council of Ireland, the International Transport Workers’ Federation, and by legal experts Colin Smith, Barrister at Law, and Dr Clíodhna Murphy, Associate Professor in the School of Law and Criminology in Maynooth University.

Equality and human rights on the island of Ireland

Article 2 of the Windsor Framework

Under Article 2 of the Windsor Framework (formerly the Ireland/Northern Ireland Protocol to the UK-EU Withdrawal Agreement), the UK Government has committed to ensuring that certain equality and human rights protections in Northern Ireland will continue to be upheld after Brexit.

We continued working with the Equality Commission for Northern Ireland ('ECNI') and the Northern Ireland Human Rights Commission ('NIHRC') to provide oversight of, and reporting on, rights and equalities issues within the scope of the Article 2 commitment that have an island of Ireland dimension.

The Article 2 working group met four times throughout the year to progress this work, while a separate Joint Committee of the Irish Human Rights and Equality Commission and the Northern Ireland Human Rights Commission convened twice to consider human rights issues on the island of Ireland, in accordance with the Belfast Agreement.

We launched the second activity report of our joint work to ensure the implementation of Article 2 of the Windsor Framework from an island of Ireland perspective. The report covers this work of the three Commissions from October 2022 to September 2023.

Attitudes to equality and human rights post Brexit

We ran a survey on attitudes to equality and human rights post Brexit in Ireland to inform the three Commissions' joint work to uphold equality and rights protections on the island of Ireland after Brexit.

Among the key findings of the survey of over 1,000 adults aged 18 and over living in Ireland were that:

- 47% of respondents were aware (14%) or somewhat aware (33%) that Brexit risks causing a divergence in the level of equality and human rights protections between Ireland and Northern Ireland.
- 81% of respondents thought it was important (26%) or very important (55%) that there be an equivalent level of equality and human rights protections in Ireland and in Northern Ireland.

25-year anniversary of the Good Friday Agreement

The three Commissions hosted an event in Dublin to reflect on equality and human rights on the island of Ireland 25 years on from the Belfast (Good Friday) Agreement. The event explored the UK Government's commitment on rights and equality post Brexit under Article 2 of the Windsor Framework; the Commissions' roles in overseeing this commitment; and the risk of increasing divergence of rights.

Attendees included elected representatives, Government officials, media commentators, civil society representatives, the legal community, academics, and EU bodies such as the European Parliament Office in Ireland as well as relevant stakeholders from Northern Ireland.



NIHRC Chief Commissioner Alyson Kilpatrick, IHREC Chief Commissioner Sinéad Gibney, and ECNI Chief Commissioner Geraldine McGahey OBE, outside Leinster House

Appearance before the Houses of the Oireachtas

We appeared before the Oireachtas Committee on the Implementation of the Good Friday Agreement alongside the ECNI and the NIHRC to highlight the risk of increasing divergence in equality and rights protections across the island of Ireland post Brexit.

The three Commissions appeared as part of our joint oversight role on rights and equalities issues within scope of the UK Government's commitment in Article 2 of the Windsor Framework that have an island of Ireland dimension. We outlined the risk of disparities in protections arising where EU laws that strengthen equality and human rights are introduced in Ireland but are not required to be implemented in Northern Ireland post Brexit.



Chief Commissioners from the
Four Jurisdictions

Four Jurisdictions

We meet annually with our 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. This meeting acts as a forum for the Commissions to collaborate and exchange information on best practice regarding current and emerging human rights issues.

Engagement with MEPs and other EU stakeholders

The Chief Commissioner, alongside her counterparts in ECNI and NIHRC, met with Irish MEPs at the EU Parliament in Brussels. The focus of the engagement was the three Commissions' joint work in relation to Article 2 of the Windsor Framework and how the EU Parliament can play a role in ensuring Article 2 is upheld. Whilst there, the Office of the Northern Ireland Executive in Brussels also hosted a joint event by the three Commissions to raise awareness of Article 2 for EU officials, civil society representatives and other important stakeholders.

Engagement and communication

Using our public space to support civil society

A large diversity of civil society organisations used our events space for a variety of activities including conferences, seminars, discussions and training. We had an increase in use of the space by civil society organisations launching research and other reports funded under our grants scheme. Whenever possible, the Chief Commissioner spoke at these events. Close to 50 events took place throughout the year.

We also upgraded and installed new audio-visual technology, which now means that the space can facilitate hybrid events.



Launch of Pobal Community Inclusion Guide in our public space

Civil Society Forum - Consultation on International Covenant on Economic, Social and Cultural Rights

We held a Civil Society Forum - Consultation on the International Covenant on Economic, Social and Cultural Rights ('ICESCR'). It was very well attended by more than 70 participants from a diverse range of national and local civil society organisations including representatives of a number of trade unions. Participants contributed in two rounds of working group discussions on the following six thematic areas: poverty and social exclusion; housing and accommodation; health and social care; education; and employment. Civil society organisations sent in a range of reports following the consultation that also informed our parallel report on ICESCR.

Outreach

Throughout the year, the Chief Commissioner engaged in a number outreach visits to Waterford, Cork and Donegal.

A key focus of these visits was engaging with civil society, community groups and schools about their programmes and initiatives promoting intercultural understanding, integrating people seeking international protection and providing community education and supports in their local areas. She also discussed policy concerns around ableism, racism, education, employment, and health, as well as the role of the Public Sector Equality and Human Rights Duty. In Waterford, she met with Waterford Integration Service, Brill Family Resource Centre and St Paul's Community College. In Cork, she met with Inclusion Ireland, NASC – Migrant and Refugee Rights Centre and Cork Traveller Visibility Group. In Donegal she met with Pobal Le Chéile, Bród na Gaeltachta, Donegal Intercultural Platform and Pobalscoil Chloich Cheannfhaola Falcarragh.



Chief Commissioner Sinéad Gibney with Waterford Integration Services Staff

Grant Scheme to support civil society and rights holders

€400,000 was made available to support projects to be carried out by civil society organisations, nationwide. The focus of the 2023-24 Human Rights and Equality Grants Scheme was on two of the Commission's strategic priorities:

- ➔ Strategic Priority Two – Access to Justice
- ➔ Strategic Priority Three – Respect and Recognition

The scheme was launched in March. In total, 79 eligible applications were received.

Projects were awarded for general grants up to €20,000 and for smaller grants up to €6,000. The scheme was open to civil society organisations working to promote

human rights and equality, trade unions, and groups representing communities addressing poverty and social exclusion or communities protected under the nine equality grounds.

30 projects were awarded grant support, encompassing a range of issues in relation to Advancing Access to Justice and Rights, and Promoting the Eradication of Ableism, Ageism, Racism, Sexism, Homophobia and Transphobia.

A full list of projects can be found in Appendix 7.



Chief Commissioner
Sinéad Gibney and
Campaign Participant Linda
O'Sullivan launching our
#CareAboutEquality Campaign

Public awareness

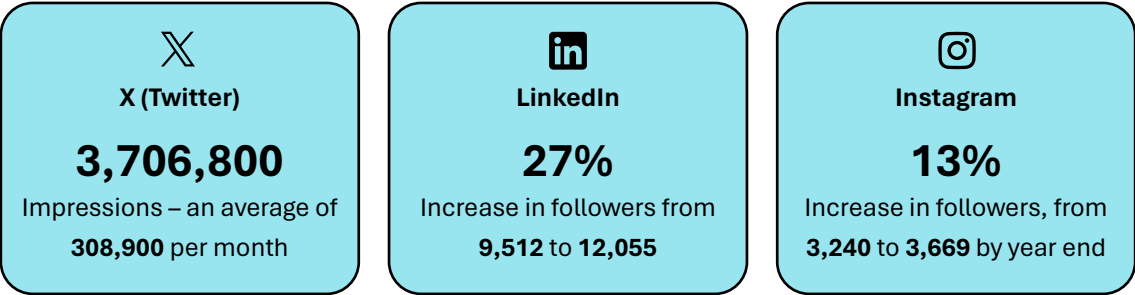
Our “Because we’re all human/ Means we’re all equal” series of campaigns continued with our Care About Equality national awareness campaign, which ran throughout January across TV, radio, social and digital advertising.

Launched on Nollaig na mBan, it featured interviews with women from different backgrounds sharing personal perspectives on how gender inequality and care work impacts on their daily lives, their career potential and their futures.

While previous campaigns focussed on attitudes to racism and disability, Care About Equality challenged entrenched societal attitudes towards the heavily gendered nature of caring, both unpaid and low-paid, and how this impacts on women in the workplace.

The purpose of the campaign was to empower people to recognise and challenge everyday and structural sexism in the home and workplace, exposing the invisibility of the value of care in society and the resultant gender inequalities.

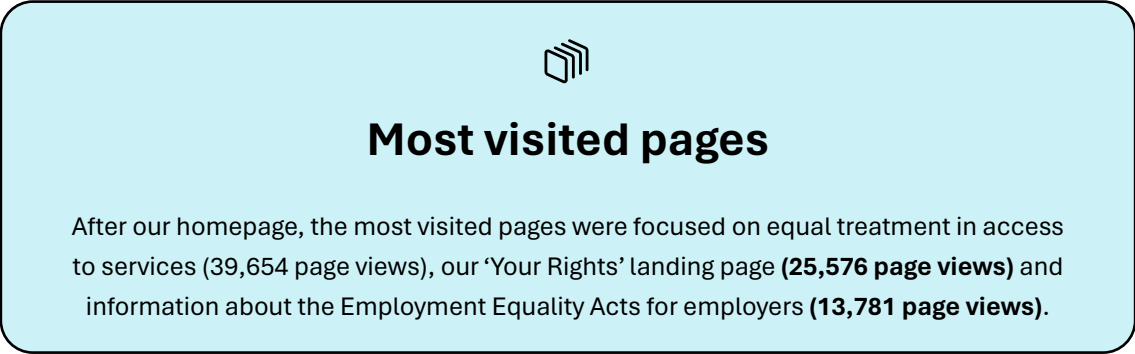
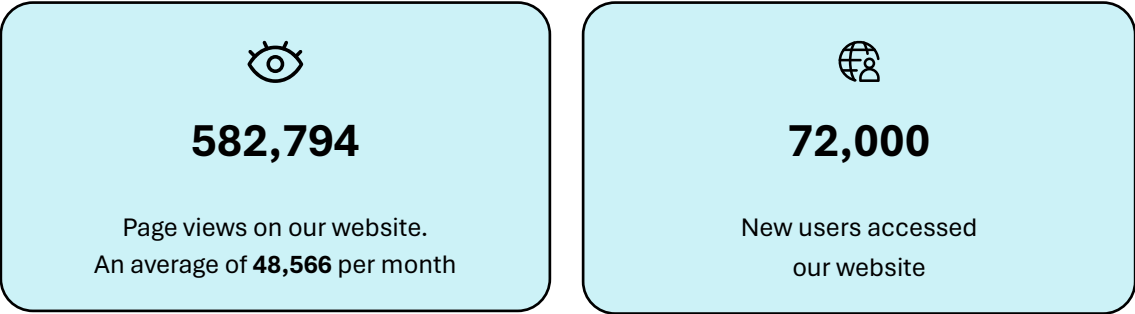
Social media highlights



Followers/Subscribers at the end of 2023



Website highlights



Corporate Governance and Structure

The Irish Human Rights and Equality Commission is an independent statutory body, established on 1 November 2014 under the *IHREC Act*. Our statutory mandate 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. We are Ireland's National Human Rights Institution and National Equality Body.

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 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, on the following dates: 26 January, 9 March, 20 April, 1 June, 13 July, 14 September, 26 October and 7 December.

Nine 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: 6 January, 3 February, 11 April, 4 May, 28 June, 11 December, 14 December, 19 December and 20 December.

A Schedule of Attendance, Fees and Expenses is set out in Appendix 5.

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 Commission agreed its third three-year Strategy Statement 2022-2024 which was laid before the Oireachtas in December 2021.

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 *IHREC 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 their functions, including information in 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 and Risk Committee, Legal Casework Committee and Policy and Research Committee.

Membership of each of these Committees, and attendance during the year is included in Appendix 3.

Audit and Risk Committee

The purpose of the Audit and Risk Committee is to consider the adequacy and effectiveness of our internal control systems, control environment and control procedures; oversee the work of the Internal Audit and to provide advice and professional guidance in relation to the systems of risk management and internal control to the Director as Accounting Officer and to the Commission.

There were four meetings held: 21 March, 26 June, 27 September, and 22 November.

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 eight meetings and 10 extraordinary meetings held throughout the year: 6 January, 16 January, 3 February, 27 February, 9 March, 14 March, 13 April, 28 April, 12 May, 26 May, 29 May, 3 July, 11 September, 16 October, 31 October, 4 December, 14 December, and 19 December.

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 five meetings held, including an extraordinary meeting: 30 January, 14 February, 4 July, 23 October, and 4 December.

Advisory committees

Section 18 of the IHREC Act provides that for the purpose of establishing and maintaining effective co-operation with representatives of relevant agencies and civil society, we may appoint Advisory Committees, as we see fit, to assist and advise us on matters relating to our functions.

These include a Disability Advisory Committee, a Worker and Employer Advisory Committee and a Future of Equality Legislation Advisory Committee.

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 IHREC Act.

The role of the DAC is:

- 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; and
- to advise the Commission on the fulfilment of its independent monitoring role under the UN Convention on the Rights of Persons with Disabilities ('CRPD').

In its work has considered a range of disability rights issues, including:

- Ableism and Individual Agency;
- Climate Change;
- Optional Protocol to the Convention against Torture ('OPCAT'), acting as Co-Ordinating National Preventive Mechanism, and improved protections for people with disabilities in places of detention;
- Equality Acts Review;
- Care and Carers;
- Independent Living;
- ICESCR: Employment, Adequate Standard of Living and Education;
- Access to Justice: Independent Review of Civil Legal Aid; Optional Protocol to the CRPD;
- EU Directive on Standards for Equality Bodies;
- Our Work on Disability;
- Participation and Social Movements;
- Anti-Human Trafficking;
- Assisted Decision Making (Capacity) Act; and
- Sexuality.

There were six meetings held: 13 February, 27 March, 8 May, 19 June, 2 October, and 13 November.

Worker Employer Advisory Committee

The Worker Employer Advisory Committee was established by the Commission in 2017 under section 18 of the Act.

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 increased opportunities for structured engagement with wider civil society on key employment issues. A roundtable was held with Traveller and Roma representatives and other key stakeholders, including peer researchers from the Traveller and Roma Communities, which informed the scope of an Employer Guide – Supporting Traveller and Roma Employment, which is in development. Work also began on an Employer and Employee Guide on Reasonable Accommodation. A working group, including representatives of a diverse range of disability groups, met twice to shape and inform its development. Both guides will be published in 2024.

There were four meetings held: 6 March, 22 May, 19 September, and 14 November.

Future of Equality Legislation Advisory Committee

The Commission established a Future of Equality Legislation Advisory Committee ('FELAC') in 2022 to inform and support its continued engagement with the Review of the Equality Acts being carried out by the Department of Children, Equality, Disability, Integration and Youth.

The purpose of the FELAC was to bring together legal, academic and civil society experts with Commission Members to assist us to identify and examine the key issues to be addressed to build a more comprehensive and effective framework of equality legislation and supporting equality infrastructure.

The FELAC delivered two advisory reports to the Commission, setting out its expert advice on the future of equality legislation. Its term then concluded.

The FELAC's advice helped to inform our second Submission on the Review of the Equality Acts by the Department of Children, Equality, Disability, Integration and Youth.

Commission Member Professor Caroline Fennell was the Presiding Member and Chief Commissioner Sinéad Gibney was the Vice-Presiding Member.

There were five meetings held: 27 January, 24 February, 31 March, 14 April, and 5 May.

Governance

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

- Irish Human Rights and Equality Commission Act 2014;
- Corporate Governance Standard for the Civil Service, with which the Commission is required to comply as funded by an Exchequer Vote;
- Code of Practice for the Governance of State Bodies 2016;
- Ethics in Public Office Act 1995;
- Standards in Public Office Act 2001;
- The Role and Responsibilities of Accounting Officers;
- Public Financial Procedures 2012.
- Public Spending Code 2013.

The Commission has a Corporate Governance Assurance Agreement in place with the Department of Children, Equality, Disability, Integration and Youth.

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 service of the State.

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

As at 31 December 2023, the Commission had 89 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 five sections:

- Legal
- Policy and Research
- Strategic Engagement
- Corporate Services
- Anti-Human Trafficking

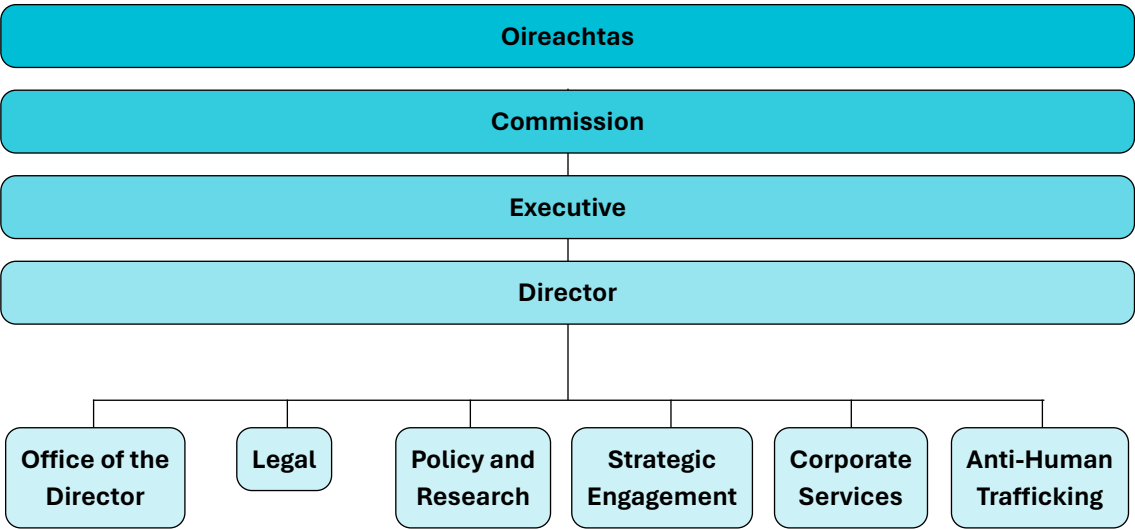
The Heads of these sections, reporting to the Director, comprise the senior management.

Senior management

Senior management at 31 December:

- Director: Deirdre Malone; *
- Head of Legal: Michael O’Neill;
- Head of Policy and Research: Iris Elliott;
- Head of Strategic Engagement: Jean O’Mahony;
- Head of Corporate Services: Niall Kelly; and
- Head of Anti Human Trafficking: Nusha Yonkova.

*Éimear Fisher was acting Director until 18 May, when Deirdre Malone took up the role.



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 for the year ended 31 December 2023 was submitted to the Comptroller and Auditor General on the earlier required date of 11 March 2024.

As required, this included the Accounting Officer's statement on the Commission's systems of internal financial control. In accordance with the Comptroller and Auditor General (Amendment) Act 1993, the audited account will be published by September in the Report on the Accounts of the Public Services. The account will be published and available at www.audgen.gov.ie. As such, the financial information referred to within this report is provisional and will be finalised on completion of the audit of the Irish Human Rights and Equality Commission Appropriation Account by the Comptroller and Auditor General.

The 2023 gross estimate provision' including a supplementary, for Vote 25 Irish Human Rights and Equality Commission was €8.419m of which €4.976m was allocated for pay related expenditure, and €3.443m of which was allocated to non-pay expenditure. The provisional (prior to audit) expenditure outturn was €8.386m of which €4.958m was pay and €3.428m was non-pay. At year end, a surplus of €0.031m 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 1 January 2023 – 31 December 2023.

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 showed that 9% of our staff have a disability, exceeding the 3% target for employment of people with disabilities. This information was provided to the National Disability Authority in March.

Willing Able Mentoring Programme

We continued to engage 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. We employed one graduate under this programme this year.

Disability Liaison/Access Officer

In December, we appointed accessibility officers under the areas of Access to the Physical Building, Access to our Website and Access to our Services, in addition to two Disability Liaison Officers to assist staff with reasonable accommodations.

Freedom of Information Act 2014

We continue to meet our obligations in relation to responding to Freedom of Information ('FOI') requests. FOI Decisions and Types of Requests are outlined below:

— FOI decisions		— Types of request	
Granted	7	Journalist	10
Part Granted	0	Business Interest Group	3
Refused	5	Client	0
Withdrawn/Held Outside FOI	0	Oireachtas	0
Total	13	Total	13

One was refused under section 36 (1) (a) (b), section 30 (1) (c) and section 40 (2) (h) (l) (n).

One was refused Under section 15 (1) (f).

One was refused under section 29 (1).

One was refused under section 15 (1) (D).

One was refused under section 29 1 (a), section 32 1 (b) and section 35 (1).

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 2023, our energy usage comprised of grid energy only.

— Energy type	Consumption
Electricity	102306 kWh
Fossil Fuels	0 kWh
Renewable Fuels	102306 kWh

Reporting

Report under section 42 of the Irish Human Rights and Equality Commission Act 2014

Section 42(1) of the Irish Human Rights and Equality Act 2014 provides that:

A public body shall, in the performance of its functions have regard to the need to:

1. eliminate discrimination;
2. promote equality of opportunity and treatment of its staff and the persons to whom it provides services; and
3. protect, promote and fulfil the human rights of its members, staff and the persons to whom it provides services.

For us, the protection and promotion of human rights and equality, and the elimination of discrimination, are core to our functions and purpose.

Under this statutory Public Sector Equality and Human Rights Duty every public body is required to Assess, Address and Report on how they incorporate equality and human rights into their work.

In our Strategy Statement 2022-2024, we set out an assessment of the human rights and equality issues we believed to be relevant to our functions and purpose.

The following are the developments and achievements in regard to the policies, plans and actions which have been put in place during 2023 to address the human rights and equality issues which we have assessed to be relevant to our functions and purpose.

Further actions will be developed to progress these objectives over the course of this strategic cycle, and will be reported on in due course.

Accessibility

Progressively increasing the accessibility of our services is a central objective for us over the strategic cycle. In December, we appointed accessibility officers under the areas of Access to the Physical Building, Access to our Website and Access to our Services, in addition to two Disability Liaison Officers to assist staff with reasonable accommodations.

As well as hosting a fully accessible events space, during the year, we upgraded our ICT equipment to facilitate hybrid events, broadening our ability to allow people who may not be able to travel to attend our events.

Broadening our communication of information on rights through Irish Sign Language

All videos that we produce have both captions and ISL as standard practice, and we have developed guidelines for use of ISL at events. A number of staff have undertaken QQI level 3 beginner classes in ISL and several are undertaking intermediate classes.

Getting information on rights to groups at particular risk

Throughout the year, we facilitated programme of outreach with civil society organisations representing rights holders across the equality grounds.

These included:

- an information session on human rights and equality standards, which was delivered to members of midlands Traveller organisation, in partnership with CAN; and
- a legal information session for representatives from civil society on a range of issues relating to equality law, including: taking cases to the Workplace Relations Commission; legal protections under the Employment Equality Acts and Equal Status Acts; the right of people with disabilities to reasonable accommodation in employment and when accessing services; and how to tackle gender discrimination in the workplace.

We also facilitated a CPD training event for members of the legal profession on 'A Practitioner's Guide to the Rights of Families at Inquests', to better enable families to assert their rights during the inquest process, using our Information Note on the Rights of Families at Inquests, which was published in 2022. The event discussed the practical issues that coroners, practitioners, and in particular families, face during the course of an inquest.

Making information available in plain English

Plain English training was offered to all staff. We completed significant work on making more information on rights available in plain English by producing plain English factsheets on 16 different rights topics, as well as information on how to take a case to the WRC.

Addressing digital exclusion

We developed and produced a national campaign on ageism with messaging on digital exclusion.

Our Your Rights Information Service continues to be offered by phone and post, as well as online.

Our Website

We published a new website accessibility statement on our website, in compliance with EU Accessibility Regulations and attended a number of training sessions run by the NDA to assist us to comply with the web accessibility directive.

We underwent specific digital document accessibility training, alongside our contracted designers, on how to improve the accessibility of our downloadable documents that are available via the website.

Building capacity of management to deal with human rights and equality issues in the workplace

All staff are required to complete our e-learning module on Equality and Human Rights in the Public Service. Five staff members completed the IPA Human Rights and Equality Diploma during the year, with a further four staff beginning in the academic year.

Equality, Diversity and Inclusion training was offered to all staff and three staff have completed a Certificate in Diversity and Inclusion.

Staff also completed a range of training courses in inclusive leadership, coaching and organisational resilience.

Report under the Official Languages (Amendment) Act 2021

Under section 4b of the revised Official Languages Act, we are obliged to report on our performance of obligations under the Official Languages (Amendment) Act 2021.

In compliance with new obligations that came into force during the year, we appointed the manager responsible for corporate governance, facilities and ICT to oversee our compliance with the Acts.

We also appointed an additional Irish Language Officer to assist with embedding Irish into our daily work.

The Irish Language Officers provided practical advice and support to all teams in relation to the Irish language. A list of basic phrases was shared with all staff to use throughout their daily work and continuous assistance was provided to all staff to ensure their out of office messages and email signatures continued to be bilingual.

Presentations from information seminars held by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media were shared with staff.

Gaelchultúr courses were promoted internally throughout the year and staff were encouraged to participate.

The Irish Committee, which was formed in 2022, grew in membership in and commenced the planning for further Irish language activities.

Appendices

Appendix 1: Commission Member Profiles

Chief Commissioner Sinéad Gibney

Sinéad Gibney leads the Irish Human Rights and Equality Commission in its mission to build a just and inclusive society that protects and promotes human rights and equality. Sinéad was the inaugural Director of the Commission from 2014-2016, and prior to this she built and led Google Ireland's corporate social responsibility function, Social Action. Sinéad is a former chair of the board of One Family and has served on a number of other boards; Digital Charity Lab, Victims' Rights Alliance and Responsible Research & Innovation industry advisory group.

Term of Office: 31 July 2020 – 29 February

Sinéad Gibney resigned as Chief Commissioner on 29 February 2024

Jim Clarken

Jim Clarken is the CEO of Oxfam Ireland and an Executive Director of Oxfam International. He has extensive leadership and corporate governance experience, working at senior management and board level in the corporate sector and international NGO sector for almost thirty years. A passionate advocate for the rights of women, Jim has driven a gender-focus at Oxfam and has led the Irish Consortium on Gender Based Violence. He has been involved in the foundation of the Irish Refugee and Migrant Coalition, Stop Climate Chaos, the Irish Coalition for Business and Human Rights and is a former chair of Dóchas.

Term of Office: 31 July 2020 – 30 July 2025

Dr Frank Conaty

Dr Frank Conaty is a Fellow of Chartered Accountants Ireland and a faculty member at the J. E. Cairnes School of Business & Economics at the University of Galway. Frank's background in community and non-profit organisations has been informed by his family experience of disability and included six years on the board and as chairman of the National Parents & Siblings Alliance, a national disability rights and advocacy organisation. He is also an affiliate faculty member of Centre for Disability Law and Policy at the University of Galway. Frank is serving his second term, having been first appointed to serve from November 2014 – October 2017.

Term of Office: 31 May 2018 – 30 May 2023

Professor Caroline Fennell

Professor Caroline Fennell is Professor Emerita of Law in the School of Law at University College Cork ('UCC'). Her research interests are in criminal justice and the law of evidence, with a particular focus on gender, equality, and constructions of rights and fairness in crisis situations. Caroline was a founder member of the Board of Women's Studies and MA in Women's Studies in UCC, and founder member and co-Director of the Centre for Criminal Justice and Human Rights. Caroline has held many roles within University management: Dean, Head of College, Senior Vice President Academic (Deputy President) and was admitted to membership of the Royal Irish Academy in 2009. She was Chair of the independent Anti-Racism Committee 2020- 2022 which drafted the National Action Plan Against Racism (adopted by Government in 2023). She was appointed a member of An Coimisiún Toghcháin in 2022.

Term of Office: 31 May 2018 – 30 May 2023

Michael Finucane

Michael Finucane is a solicitor and human rights activist based in Dublin. He is Principal Solicitor at his Dublin-based law firm, which specialises in criminal defence and human rights litigation. He is a Human Rights Committee Member in the Law Society of Ireland, which he also chaired from 2012 to 2014 and is a consultant and trainer with the SUPRALAT Project at Dublin City University/ Law Society of Ireland.

Term of Office: 31 July 2020 – 30 July 2025

Heydi Foster Breslin

Heydi Foster Breslin is the Chief Executive Officer of An Cosán (Gaelic for 'The Path'), Ireland's largest community education organisation. Prior to this, Heydi was CEO of Misean Cara, an Irish development agency working with some of the most marginalised and vulnerable communities in developing countries. Heydi has also been CEO of Exchange House Ireland National Travellers Service. Originally from Guatemala, Heydi has extensive experience across countries in advocating for equality, human rights and providing social services to minority groups, including children, women, refugees, and internally displaced people and members of the Traveller, Latino, African-American, Sinti and Roma communities. Heydi is serving her second term, having been first appointed to serve from November 2014- October 2017.

Term of Office: 31 May 2018 – 30 May 2023

Tony Geoghegan

Tony Geoghegan has worked in the addiction arena for the past thirty years both in Ireland and in Britain. Tony was CEO of Merchants Quay Ireland, Drugs and Homeless Services for 28 years. He is an accredited addiction counsellor and clinical supervisor and is a former Chairman of the A.C. I. (Addiction Counsellors of Ireland). He is currently the Irish representative on the Council of Europe's Pompidou Group's Expert Group on Drug Policies and Human Rights: self-assessment tool. He holds a Diploma in Addiction Studies from Trinity College and an M.A. in Social Policy.

Term of Office: 31 May 2018 – 30 May 2023

Adam Harris

Adam Harris is the Founder and CEO of AslAm, Ireland's National Autism Charity. Adam founded the organisation based on his own experiences growing up on the autism spectrum. Today, AslAm provides support to the autism people and their families, advocates on behalf of the community and works to support public and private sector organisations and communities in becoming inclusive and accessible.

Term of Office: 31 July 2020 – 30 July 2025

Professor Kathleen Lynch

Professor Kathleen Lynch is a sociologist and has devoted her life's work to promoting equality, human rights, and social justice through education and research. She has published eight books and three-hundred articles on all types of equality issues. She played the lead role in establishing the Equality Studies Centre in UCD in 1990 and the School of Social Justice in 2004/5. She also led the development of the M.Sc. and Diploma in Equality Studies in UCD in 1990, developed several Outreach Equality Studies programmes in collaboration with Community Groups over a thirty-year period, and pioneered the development of the BCL (Law and Social Justice) with the UCD Law Faculty in 2013/14.

Term of Office: 31 July 2020 – 30 July 2025

Dr Salome Mbugua

Dr Salome Mbugua is a researcher, gender equality activist and human rights advocate. She is the founder and former CEO of AkiDwA -The Migrant Women's Network and has over 20 years' experience of working with under-represented groups in particular women, children, and the youth, in Europe, Africa and internationally. Since 2015 she has been supporting the development of Wezesha, an African Diaspora led development organisation supporting women and children who are affected, or are likely to be affected by conflicts, violence, war and poverty, with piloting projects in Kenya and the DRC. Salome is the chairperson of European Network of Migrant Women and sits on the EU Expert group on Economic Migration.

Term of Office: 31 May 2018 – 30 May 2023

Dr Salome Mbugua was re-appointed for a second term from 31 July 2023 - 30 July 2028

Dr Rosaleen McDonagh

Dr Rosaleen McDonagh is a Traveller woman with a disability. Originally from Sligo, she is the fourth eldest in a family of twenty children. She worked in Pavee Point Traveller & Roma Centre for ten years, managing the Violence Against Women programme, and remains a board member. She is a regular contributor to the Irish Times and has written within the framework of a Traveller feminist perspective. Rosaleen's work as a playwright includes Mainstream, The Baby Doll Project, Stuck, She's Not Mine, and Rings.

Term of Office: 31 July 2020 – 30 July 2025

Sunniva McDonagh

Sunniva McDonagh is Senior Counsel who practices mainly in the areas of fundamental rights, administrative and constitutional law. She has acted in many leading cases including in the area of immigration and fair trial rights in historical abuse cases. Sunniva has a particular interest in human rights and the Rule of Law. She is the Vice President of the Management Board of the Fundamental Rights Agency, a former Chair of the Refugee Appeals Tribunal and a current Chair of the Mental Health Commission. She is a Member of the Strategic Human Rights Advisory Committee of An Garda Síochána, and a Member of the Press Council of Ireland. Sunniva is serving her second term, having been first appointed to serve from November 2014 – October 2019.

Term of Office: 31 July 2020 – 30 July 2025

Dr Lucy Michael

Dr Lucy Michael is a sociologist in practice and consultant on equality and integration issues. Her work particularly addresses racist discrimination and violence, experiences of victims, and the roles of statutory institutions and civil society in combating hate crime and exclusion. Lucy has conducted research with a wide range of public and private sector bodies including the International Organisation for Migration, UK Home Office and European Network Against Racism. She is co-author with INAR of the iReport.ie racist incident reporting system used to map racism in Ireland. She previously held lecturing posts at Ulster University and University of Hull, and is a former President of the Sociological Association of Ireland.

Term of Office: 31 July 2020 – 30 July 2025

Professor Ray Murphy

Professor Ray Murphy is a professor at the Irish Centre for Human Rights, University of Galway. In addition to his position at the Irish Centre for Human Rights, he is on the faculty of the International Institute for Criminal Investigations. He was the EU Fundamental Rights Agency Senior Expert for Ireland and a member of the Executive Committee of the Association of Human Rights Institutes. Ray is a former member and Vice Chair of the Executive Committee of Amnesty International (Ireland). He has also conducted training on behalf of the ICRC, No Peace without Justice, Amnesty International, the UN, and the International Institute for Humanitarian Law and the Pearson Peacekeeping Centre (Canada). Ray is serving his second term, having been first appointed to serve from November 2014 – October 2019.

Term of Office: 31 July 2020 – 30 July 2025

Colm O'Dwyer SC

Colm O'Dwyer SC is an Irish barrister (Senior Counsel) who specialises in human rights, international protection and public law litigation. He regularly pleads before the Superior Courts in Ireland and has appeared for the applicants/plaintiffs or amicus curiae in a number of significant and frequently cited Irish human rights, E.U. and citizenship law judicial review cases. Colm is a former member of the Bar Council and was the first chair of the Bar of Ireland Human Rights Committee. He was also formerly the chair of the NGO Ruhama, which assists and supports women affected by prostitution and victims of trafficking.

Term of Office: 31 May 2018 – 30 May 2023

Dr. Andrew Forde

Andrew Forde is a senior civil servant with extensive national and international human rights experience. Dr. Forde is currently head of Rural Regeneration at the Department of Rural and Community Development and holds both LLM and PhD degrees in international human rights law, with specific expertise centring on the European Convention on Human Rights. Dr. Forde is also a Visiting Fellow at the Irish Centre for Human Rights and writes extensively on matters related to human rights in Europe.

Term of Office: 31 July 2023 – 30 July 2028

Caoilfhionn Gallagher KC

Caoilfhionn Gallagher KC is a human rights lawyer and barrister at Doughty Street Chambers, and in February 2023 she was appointed as Ireland's Special Rapporteur on Child Protection. She has acted in many landmark cases before the European Court of Human Rights, international tribunals and the UK, including representing bereaved families and survivors of the 7/7 London Bombings and the Hillsborough disaster and acting in test cases which have changed the law on issues including the rights of children in police custody, State obligations to victims and survivors of domestic abuse and child sexual abuse, and abortion in Northern Ireland.

Term of Office: 31 July 2023 – 30 July 2028

Professor Colin Harvey

Colin Harvey is a Professor of Human Rights Law at Queen's University Belfast and Director of the Human Rights Centre. Professor Harvey has served as a Commissioner on the Northern Ireland Human Rights Commission, has taught human rights law for almost 30 years and has written and engaged extensively on human rights law locally and globally.

Term of Office: 31 July 2023 – 30 July 2028

Eoin Ronayne

Eoin Ronayne has an extensive background in industrial relations and a senior trade union official for 30 years. Up to his recent retirement he was General Secretary for Organisation and Development with Fórsa and a long serving member of the ICTU Executive. Currently working on development projects for the ICTU he is also Chairperson of Waterford Area Partnership Company. Formerly an RTE journalist/producer and Irish Secretary of the NUJ, he has a particular interest in media and communications.

Term of Office: 31 July 2023 – 30 July 2028

Noeline Blackwell

Noeline Blackwell is a solicitor, litigator advocate and manager with a wide experience of human rights standards, operations, practices and challenges. Noeline is the current CEO of Dublin Rape Crisis Centre since 2016. She was Director General (CEO) of FLAC between 2005 and 2016. Noeline's previous board memberships include the International Federation of Human rights, Front Line Defenders, Immigrant Council of Ireland, and Amnesty International Ireland.

Term of Office: 31 July 2023 – 30 July 2028

Appendix 2: Attendance at Commission Meetings

The Commission held eight ordinary plenary meetings. Nine 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.

Three members, Dr. Frank Conaty, Dr Andrew Forde and Professor Ray Murphy, did not receive any fee under the One Person One Salary principle.

Ordinary meetings:

Member	Meetings Attended
Sinéad Gibney, Chief Commissioner	8 of 8
Heydi Foster Breslin	2 of 3
Jim Clarken	6 of 8
Dr Frank Conaty**	3 of 3
Professor Caroline Fennell**	2 of 3
Michael Finucane	7 of 8
Tony Geoghegan**	3 of 3
Adam Harris	6 of 8
Professor Kathleen Lynch	8 of 8
Dr Salome Mbugua	6 of 6
Dr Rosaleen McDonagh	6 of 8
Sunniva McDonagh SC	6 of 8
Dr Lucy Michael	5 of 8
Professor Ray Murphy	5 of 8
Colm O'Dwyer SC**	2 of 3
Dr Andrew Forde*	3 of 3
Caoilfhionn Gallagher KC*	1 of 3
Colin Harvey*	3 of 3
Eoin Ronayne*	3 of 3
Noeline Blackwell*	2 of 3

*The term of office of five new Commission members commenced on 31 July 2023

**The term of office of five Commission members concluded on 31 May 2023

***The term of office for Dr. Salome Mbugua concluded on 31 May 2023. Dr. Mbugua was reappointed 31 July 2023

Extraordinary meetings:

Member	Meetings Attended
Sinéad Gibney	8 of 9
Noeline Blackwell*	4 of 4
Heydi Foster Breslin**	0 of 4
Jim Clarken	3 of 9
Dr Frank Conaty**	2 of 4
Prof Caroline Fennell**	3 of 4
Michael Finucane	8 of 9
Dr Andrew Forde*	3 of 4
Caoilfhionn Gallagher KC*	0 of 4
Tony Geoghegan**	1 of 4
Adam Harris	5 of 9
Prof Colin Harvey*	4 of 4
Prof Kathleen Lynch	6 of 9
Dr Salome Mbugua***	2 of 8
Dr Rosaleen McDonagh	5 of 9
Sunniva McDonagh SC	3 of 9
Dr Lucy Michael	4 of 9
Prof Ray Murphy	6 of 9
Colm O'Dwyer SC**	4 of 4
Eoin Ronayne*	2 of 4

*The term of office of five new Commission members commenced on 31 July 2023.

**The term of office of five Commission members concluded on 31 May 2023.

***The term of office for Dr Salome Mbugua concluded on 31 May 2023. Dr Mbugua was re-appointed for a second term on 31 July 2023.

The record of attendance for each member reflects the number of meetings held while in office.

Appendix 3: Attendance at Committees

Legal Casework Committee

Member	Meetings Attended
Michael Finucane (Chair)	17 of 18
Sinéad Gibney, Chief Commissioner	16 of 18
Caroline Fennell**	6 of 11
Prof Colin Harvey***	2 of 2
Dr Lucy Michael*	2 of 14
Sunniva McDonagh SC	8 of 18
Prof Ray Murphy	16 of 18
Colm O'Dwyer SC**	10 of 11

*Dr Lucy Michael resigned from the Casework Committee on 27 October 2023

**The term of office of two Commission members concluded on 31 May 2023.

***Prof Colin Harvey was appointed to the Casework Committee at the 69th Ordinary Meeting on 7 December 2023.

Policy and Research Committee

Member	Meetings Attended
Dr Lucy Michael (Chair July – Dec)	3 of 5
Sinéad Gibney	5 of 5
Adam Harris***	0 of 2
Dr Salome Mbugua**	1 of 2
Colm O'Dwyer SC*	2 of 2
Dr Frank Conaty*	1 of 2
Prof Caroline Fennell*	2 of 2
Prof Kathleen Lynch (Chair Jan – June)***	2 of 2
Dr Rosaleen McDonagh	4 of 5

*The term of office of three Commission members concluded on 31 May 2023.

**The term of office for Dr Salome Mbugua concluded on 31 May 2023. Dr Mbugua was re-appointed for a second term on 31 July 2023.

***Resigned from the Policy and Research Committee ahead of meeting of 4 July

Audit and Risk Committee

Member	Meetings Attended
Lawrence Dunne (External Chair)*	2 of 3
Aisling McKeon (Vice-External Chair)*	2 of 3
Jim Clarken (Acting Chair)	3 of 4
Dr Frank Conaty**	1 of 1
Heydi Foster Breslin**	0 of 1
Adam Harris	2 of 4

*Lawrence Dunne and Aisling McKeon were appointed as the external members of ARC at the meeting of 26 June. Lawrence Dunne was elected as Chair at the meeting of 22 November.

**The term of office of two Commission members concluded on 31 May 2023.

Disability Advisory Committee

Member	Meetings Attended
Gary Allen	4 of 6
Jacqui Browne	6 of 6
Adrian Carroll	6 of 6
Dr John Bosco Conama	5 of 6
Michelle (Shelly) Gaynor	6 of 6
Eliona Gjecaj	6 of 6
Brian Hayes	6 of 6
Dr Vivian Rath	4 of 6
Fiona Anderson	6 of 6
James Cawley	4 of 6
Peadar O'Dea	5 of 6
Aoife Price	3 of 6
Michael Seifu	6 of 6
Dr Rosaleen McDonagh	5 of 6
Adam Harris	5 of 6
Sinéad Gibney	3 of 6

Worker and Employer Advisory Committee

Member	Meetings Attended
Tony Geoghegan (Chair)*	2 of 2
Prof Kathleen Lynch	4 of 4
Jim Clarken (Chair)**	3 of 4
Sinéad Gibney	3 of 4
David Joyce (ICTU)***	4 of 4
Deirdre O'Connor (INTO)	4 of 4
Dr Michelle Cullen (Accenture)	1 of 4
Ethel Buckley (SIPTU)	2 of 4
Seamus Dooley (NUJ)	0 of 4
Dr Kara McGann (Ibec)****	4 of 4
Elizabeth Bowen (Small Firms Association)	3 of 4
Harry Wall (Ibec)****	3 of 4
Vivienne Kavanagh (Dublin Bus)	3 of 4
Katie Morgan (Forsa)	1 of 4

*Tony Geoghegan's term of office concluded on 31 May

**Jim Clarken was agreed as Chair of the WEAC at the 65th Ordinary Commission meeting on 1 June

***Ger Gibbons from ICTU attended in place of David Joyce on 14 November

****Sam Owens from Ibec attended in place of Harry Wall on 22 May and Dr Kara McGann on the 19 September

Future of Equality Legislation Advisory Committee

Member	Meetings Attended
Prof Caroline Fennell (Chair), Commission Member	4 of 5
Sinéad Gibney, Chief Commissioner	4 of 5
Prof Kathleen Lynch, Commission Member	3 of 5
Dr Rosaleen McDonagh, Commission Member	5 of 5
Prof Mark Bell, Trinity College Dublin	4 of 5
Niall Crowley, Independent equality and human rights expert, Values Lab	5 of 5
David Fennelly Assistant Professor, Trinity College Dublin	2 of 5
David Joyce, Equality Officer, Irish Congress of Trade Unions	5 of 5
Maria Joyce, Coordinator, National Traveller Women's Forum	4 of 5
Prof Colm O'Cinneide, University College London	4 of 5
Orla O'Connor, Director, National Women's Council of Ireland	0 of 5
Pauline O'Hare, Senior Employment Law Solicitor, Ibec	5 of 5
Ade Oluborode, Barrister	2 of 5
Sara Philips, Chair, Transgender Equality Network Ireland	5 of 5
Prof Judy Walsh, Assistant Professor, University College Dublin	5 of 5
Eilis Barry, Chief Executive, FLAC	2 of 5
Paul Ginnell, Director, European Anti-Poverty Network Ireland	4 of 5
Darren McKinstry, Director of Public Policy & Strategic Engagement, Equality Commission for Northern Ireland	3 of 5

Appendix 4: Commission staff

The staff complement of the Commission as at 31 December was 89, with the grading structure as follows:

Grade	Number of staff per grade
Chief Commissioner	1
Director	1
Principal Officer	5
Professional Accountant Grade 1	1
Assistant Principal Officer	16
Higher Legal Executive	2
Higher Executive Officer	15
Administrative Officer	16
Legal Executive	2
Executive Officer	13
Clerical Officer	16
Service Officer	1
Total	89

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 2023 for Vote 25 Irish Human Rights and Equality Commission was submitted to the Comptroller and Auditor General for audit on 11 March 2024.

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	Number of Employees in Band	
	2022	2023
€		
60,000-69,999	4	5
70,000-79,999	6	8
80,000-89,999	3	6
90,000-99,999	1	1
100,000-109,999	2	1
110,000-119,999		1
120,000-129,999	2	1
130,000-139,999		
140,000-149,999		
150,000 – 159,999	1	
160,000 – 169,999		
170,000 – 179,000		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	2022	2023
	€	€
Commission Member Fees	92,340	62,325
Salary (Including Chief Commissioner)	807,005	826,592
Allowances	22,430	14,642
Termination benefits	-	-
Health Insurance	-	-
	921,775	903,559

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.

Chief Commissioner Salary	2022	2023
	€	€
Basic Pay	158,541	171,148
Health Insurance	-	-
Total	158,541	171,148

Director salary	2022	2023
	€	€
Basic Pay	142,184	120,005
Health Insurance	-	-
Total	142,184	120,005

Mr Laurence Bond retired on 31st December 2022 with final salary issuing at 5th January 2023. Ms Éimear Fisher was appointed as Director from 19th September 2022 until 18th May 2023. Ms Deirdre Malone was appointed as Director on 19th May 2023.

Consultancy costs	2022	2023
	€	€
Advisory	97,410	108,878
Total	97,410	108,878

Travel and subsistence –	2022	2023
Domestic and international	€	€
Domestic travel		
Commission	5,042	4,321
Employees	3,326	5,350
International Travel		
Commission	7,250	745
Employees	11,950	4,322
Total	28,517	14,738

Hospitality costs	2022	2023
Staff Hospitality		2,227
Third Party Hospitality		
Total	Nil	2,227

Appendix 6: Publications

Name	Type	Date
Annual Report 2022	Annual Reports	June
Trafficking in Human Beings in Ireland - Second Evaluation of the Implementation of the EU Anti-Trafficking Directive	Annual Reports	September
Equality and Human Rights on the Island of Ireland after Brexit 2023	Annual Reports	December
Letter to Minister O’Gorman on Mother and Baby Institutions Payment Scheme Bill 2022 Feb 2023	Correspondence	February
Letter to Chair of the Joint Committee on Children, Equality, Disability, Integration and Youth Observations on the Mother and Baby Institutions Payment Scheme Bill	Correspondence	May
Civil Society Guide to Reporting under the International Covenant on Economic, Social and Cultural Rights	Guides and Information	June
Ireland and the Council of Europe Convention on preventing and combating violence against women and domestic violence	International Reporting	January
Ireland and the Sustainable Development Goals	International Reporting	June
Ireland and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	International Reporting	September
Submission on the Review of the Equality Acts	Legislative Observations	July
Policy Statement on the Index-Linking of Welfare Payments (Welfare Indexation)	Policy Statements and Submissions	February
The Incorporation of Economic, Social and Cultural Rights into the Irish Constitution	Policy Statements and Submissions	February
Submission to the Department of the Taoiseach on the European Semester 2023 and the National Reform Programme	Policy Statements and Submissions	February
Submission on Compensating Victims of Crime to the Law Reform Commission on their Fifth Programme of Law Reform	Policy Statements and Submissions	March
Public consultation on the mid-term review of the Pathways to Work Strategy 2021 – 2025	Policy Statements and Submissions	March

Policy Statement on a Just Transition	Policy Statements and Submissions	April
Submission to the Independent Review of the Civil Legal Aid Scheme	Policy Statements and Submissions	May
Policy Statement on the right to family reunification under the International Protection Act 2015	Policy Statements and Submissions	May
Policy Statement on Care	Policy Statements and Submissions	July
Submission on the Planning and Development Bill 2022	Policy Statements and Submissions	October
Submission on the Criminal Law (Sexual Offences and Human Trafficking) Bill 2023	Policy Statements and Submissions	October
Collective Bargaining and The Irish Constitution—Barrier or Facilitator?	Research Reports	December

Appendix 7: Grants

Organisation: Mercy Law Resource Centre

Project Title: Access to Justice and Rights for Long-term Homeless Children and their Families

Summary: The aim of this project is to carry out qualitative research, to capture the lived experience of children and families, including Traveller and Roma families in emergency homeless accommodation and the effects of long-term homelessness on children in these families and to produce evidence-based practical recommendations on how to improve access to justice and the vindication of the rights of these children and their families.

Organisation: EPIC - Empowering People in Care

Project Title: Experiences of state care amongst children and young people who have sought international protection: A qualitative study

Summary: The aim of this project is to carry out qualitative research of the specific challenges faced by care-experienced children and young people who have sought international protection in Ireland. The objective will be to analyse whether their experiences reflect their rights under the UNCRC and the Refugee Convention and to produce a set of policy recommendations.

Organisation: European Anti-Poverty Network (Community Platform)

Project Title: Civil Society Submission to UN International Covenant on Economic Social and Cultural Rights fourth periodic report of Ireland

Summary: The aim of this project is to prepare a report from the Community Platform on economic, social and cultural rights issues in Ireland with a set of recommendations and submit it to the UN Committee on Economic, Social and Cultural Rights in advance of Ireland's examination on the extent to which it is meeting its obligations under the International Covenant on Economic, Social and Cultural Rights. This report aims to improve access to these rights while in the process creating awareness and building experience in using such human rights frameworks and reporting processes as a means of bringing about positive change.

Organisation: Oxfam Ireland

Partner: Irish Refugee Council

Project Title: Activists and Advocates: workshops for change

Summary: The aim of this project is to share knowledge, skills and experiences to enhance the advocacy capacity of refugee-led groups and people who have moved to Ireland to access justice by influencing international protection policy and engaging with public bodies to shape legislation, policy, practice and services in the area of migration and asylum policy. This project also aims to build better relationships and a deeper understanding of each other's work so that we can be a stronger force working together for the rights and wellbeing of migrants, refugees and people seeking protection, and against oppression and inequality.

Organisation: Family Carers Ireland

Project Title: Civil Society Submission to UN International Covenant on Economic Social and Cultural Rights fourth periodic report of Ireland

Summary: The aim of this project is to provide legal support to a pilot group of carers to empower them as rights-holders and supporters of people with disabilities, to navigate the new Decision Making Representative ('DMR') application process in a timely and supported manner, and increase awareness of the Assisted Decision Making Act amongst carers and to extract the learning from those cases and support the development of a template that other carers can use to apply to be a DMR.

Organisation: Migrant Rights Centre Ireland

Project Title: Increase equality and reduce risk by promoting human rights compliant pathways for safe and regular migration

Summary: The aim of this project is to increase the evidence base in order to better advocate for changes in legislation and policy, which will establish or improve human rights compliant pathways for safe and regular migration in order to reduce risks and to ensure equality and justice.

This project will raise awareness of positive and innovative immigration pathways (e.g. innovative schemes that enable less qualified people to move for work, positive examples of progression from short term permissions; clearer entitlement to family reunification). By showcasing good practices, we plan to raise awareness, inform debate, advocate for reform and better practice.

Organisation: RADE

Project Title: Create Your Rights

Summary: Through a series of creative workshops, the aim of this project is to encourage critical reflection about the issue of rights and to empower people with experience of addiction to self-advocate more strongly in the future. Also to create awareness amongst the wider public by publishing selected creative work completed in the workshops. This will include a book of creative writing and illustrations on human rights themes which participants will present alongside an open panel discussion in the form of a public event.

Organisation: Longford Traveller Healthcare Project –Longford Community Resources

Partner: Irish Network Against Racism, and Community Action Network

Project Title: Building advocacy capacity and advancing the rights of minority ethnic community leaders

Summary: The aim of this project is to build the leadership and training capacity of Traveller, Roma, Migrant and Minority Rights-holders in the Longford area to understand their human and protective Equality legislation. This will include how to vindicate them, linking them to addressing individual, institutional and structural racism and discrimination. The training will be supported by INAR's Minority Ethnic Leaders and participants will act as multipliers in their communities.

Organisation: The Bohemian Football Club

Partner: Environmental Justice Centre at Community Law and Mediation

Project Title: Football Empowering Local Environmental Justice Champions

Summary: The aim of this project is to engage communities in shaping the development and dissemination of educational materials to raise awareness of environmental justice, rights, and access to those rights for the members and fans of Bohemian Football Club and the surrounding communities. These materials will enable these local communities to understand how to participate in environmental decisions that affect them and can seek accountability when environmental obligations are not met. The resources will connect environmental and climate justice with the day-to-day issues people experience and to resonate with audiences who are not yet environmentally engaged.

Organisation: Doras

Project Title: Access to Justice for International Protection Applicants (IPAs): Understanding their experiences with the criminal justice system in Ireland

Summary: The aim of this project, using participatory and peer-led research, is to provide an evidence-base that captures an understanding of the experience of international protection applicants who were victims of crime with the criminal justice system and to develop a set of practical recommendations for change, and engage duty-bearers in the criminal justice system on the report's findings.

Organisation: UISCE

Project Title: Agency, Access, and Solutions: A living experience analysis of how to identify and address current gaps in equity of service provision in homeless accommodation

Summary: The aim of this project is to develop the leadership capacity of people experiencing substance use disorder who are currently facing great barriers in accessing their rights within emergency homeless accommodation so that they can advocate for their rights to be involved in decisions that affect them. This participatory peer led process will allow for people to understand their rights and strengthen their ability to share this knowledge, engage with relevant stakeholders and become actors for change by advocating for access to justice and rights within the sector. Through a dialogue process between rights holders and duty bearers, the project aims to will build a whole system responsibility for the progressive realisation of these rights.

Organisation: Irish Penal Reform Trust ('IPRT')

Project Title: Know Your Rights: Access to Justice and Rights for People in Prison

Summary: The aim of this project is to organise a conference to build understanding of prisoners' rights among those working to support prisoners, in particular migrant and ethnic minority prisoners and build capacity to better advocate for the vindication of these rights as well as to more widely disseminate the Prisoners' Know Your Rights booklet to increase further awareness and understanding.

Organisation: Open Doors Initiative

Project Title: Fresh Start – An Employer Support Service Toolkit & Training

Summary: The aim of this project is, informed by research with employers and people with a conviction attempting to access work, to develop an Employer Tool-kit and deliver training to dispel the myths and create awareness among employers, informed by the lived experience of those impacted by systemic barriers, of the benefits of hiring people with past convictions. Through awareness raising and training work with employers to remove these obstacles and actively hire and retain people, providing them with a fresh start.

Organisation: National Advocacy Council of Brothers of Charity Services Ireland

Project Title: Rights Awareness Training Programme – Fully Inclusive and Accessible

Summary: The aim of this project, led by the Advocates on the National Advocacy Council, is to develop an accessible training programme including the development of videos to build the capacity and confidence of people with intellectual disabilities on their rights and how to advocate for and exercise them.

Organisation: National Women's Council

Project Title: Auto-enrolment from a care and gender-based lens

Summary: The aim of this project is to conduct research to assess the gendered impact of implementing auto-enrolment in the new retirement savings scheme, particularly in exacerbating inequalities between unpaid carers and paid workers. The project also proposes reforms that both ensure income adequacy of all workers in old age, particularly women, while also recognising the contribution of unpaid care work. In so doing, it attempts to overcome institutional discrimination against unpaid care workers, the majority of whom are women.

Organisation: Waterford Integration Services

Project Title: Understanding and Responding to Hate and Extremism in our Communities

Summary: The aim of this project is provide solution focused regional training workshops (with a diversity and intersectional focus) in Waterford and the South

East to build the capacity of grassroots communities, e.g. ethnic led groups, the LGBTI+ sector and economic and socially challenged communities, as well as community leaders and elected representatives to counter efforts to create division and hate in communities who are already challenged in terms of poverty, lack of opportunity, the rising cost of living and accommodation crisis. The project will also develop resource packs tailored for Waterford and the South East, which can act as a model for other communities.

Organisation: Project Arts Centre

Partner: Dublin Theatre of the Deaf

Project Title: Challenging Ableism towards the Deaf Community in the Arts

Summary: The aim of this project is to promote the eradication of ableism through public understanding, raising awareness, and encouraging crucial dialogue around the barriers for the Deaf community in accessing and participating in the arts; it will create practical change through training, artistic support, ongoing engagement with the Dublin Theatre of the Deaf and the presentation of ambitious new works as well as creating visibility for the Deaf community through a series of events /residencies at Project Arts Centre- including ISL interpreted for events and performances; and increasing the use of ISL across all areas of Project Arts Centre programme. The development of this project was informed by an extensive consultation process that led to the development of the Project Arts Centre's, Equality, Inclusion and Diversity Strategy.

Organisation: Belong To LGBTQ+ Youth Ireland

Project Title: Tackling homophobia and transphobia through supporting LGBTQ+ inclusive primary schools.

Summary: The aim of this project is to develop an evidence-based quality standards framework and accompanying resources to promote LGBTQ+ inclusion in primary schools across Ireland. Developed in consultation with and endorsed by key sectoral stakeholders, the project outputs will support school communities to create LGBTQ+ inclusive schools, while also informing strategy and policy decisions at national level. The project will contribute to the eradication of homophobia and transphobia by fostering changes in attitudes and behaviours in primary education, as well as providing increased evidence to advocate for equality-based policies, strategies and practices.

Organisation: Women's Collective Ireland

Partner: National Women's Council of Ireland

Project Title: Women's Collective Ireland ('WCI') - Equality, Diversity, and Inclusion Awareness Seminar

Summary: The aim of this project to promote human rights, equality and intercultural understanding and to progress a shared organisational approach, and understanding of intersectional discrimination and its impacts. This will be achieved through awareness raising workshops for local leaders in the Women's Collective Network on intersectional and multiple levels of discrimination experienced by women and to multiply the learning in their local women's groups.

Organisation: Age Action

Project Title: Challenge Ageism - Reframing Older Person's Views of Themselves

Summary: The aim of this project is to create and co-produce with older people a training workshop and set of videos that will support older people to recognise and challenge self-directed ageism. It is expected that workshop participants will be able to use their agency to challenge ageism as a barrier to age equality.

Organisation: Irish Council for International Students ('ICOS')

Project Title: Speak Out Against Racism campaign

Summary: The aim of this project is to create awareness among and support international students, including in English language colleges, to know their rights and report incidence of racism by providing information on equality legislation and how to vindicate their rights if they have been discriminated against through a booklet, video and online campaign co-produced with students. Students will be more aware of their rights and how to report racism. The material will be made available in English, Spanish and Portuguese.

Organisation: Hope and Courage Collective Project - Uplift

Partner: Community Work Ireland

Project Title: Understanding and responding to hate and extremism in our communities

Summary: The aim of this project is, through a training programme in four pilot areas of Ireland, to build the consciousness, capacity and confidence of community development workers and community leaders including ethnic minority, migrant and LGBTI+ leaders to act as multipliers in preventing the spread of extremism and hate in their communities, whilst simultaneously developing communities of solidarity, inclusion, welcome and respect. The training will be backed up by resources guides and the networking of those involved.

Organisation: Hawkswell Theatre

Partner: Sligo/Leitrim Community Inclusion Services, National Learning Network and ThisAbility

Project Title: SHINE – Music participation programme for people with Intellectual Disabilities

Summary: The aim of this project, informed by input from people with intellectual disabilities, is to eradicate ableism and ageism by integrating disability accessibility into the theatre's approach and programme by training musicians and music facilitators to understand and engage with diverse audiences, leading to a series of music workshops for older people with intellectual disabilities. This project will add to a whole of organisation approach to increase diversity at the theatre, strengthened community partnership, and trained musicians and music facilitators to work in this field.

Organisation: Mental Health Reform

Project Title: Mental Health in the Workplace: A Guide to Your Rights

Summary: The aim of this project is to develop a guide to support people with psychosocial disabilities to understand and claim their rights in the workplace. The guide will be informed by people with lived experience of psychosocial disabilities. A key objective of the project is to improve public understanding of the prevalence and impact of ableism in the context of mental health in Ireland. By increasing awareness and understanding of equality legislation and human rights, the project aims to support more people with psychosocial disabilities to avail of supports and reasonable accommodations, and claim their rights if they experience discrimination in the workplace.

Organisation: Ronanstown Women's CDP

Project Title: Connecting through the Medium of Craft

Summary: The aim of this project is to undertake a series of workshops to enable and empower women to participate and discuss together through the medium of craft with the goal of the eliminating isolation, racism and social injustice. Through the development of a blanket of hope, the project will bring women across the community together including migrant women and women international protection applicants. The gatherings will be an opportunity to build resilience and enable those who have experience of discrimination to access information on their human rights. The Blanket will be launched on International Women Day 2024.

Organisation: Rosemount Family Resource Centre

Project Title: Countering Ageism

Summary: The aim of this project is to promote the dignity and equality of rights of older people. A focus group of older people will be organised to get their opinions on how best to eradicate ageism and make the community more age friendly and aware. This will inform an approach to eradicate ageism by incorporating older community members in intergenerational activities, awareness conferences, volunteering opportunities and decision making.

Organisation: AslAm

Project Title: Inclusive Education Practices Part 2: Exploring Codes of Behaviours in Primary, Secondary and Special School's in Ireland

Summary: The aim of this project is to conduct research to examine the use of codes of behaviour in our schooling system and to explore whether such instruments are in keeping with the spirit of the UNCPRD. The anticipated outcomes of this research is that it will shine a light on the ablest approaches taken when it comes to codes of behaviours in the Irish educational system. At its core, the project will examine what is needed for a fair and equitable educational experience for autistic school aged children/young people and the revision of codes of behaviour to reflect this.

Organisation: Youth Work Ireland Galway

Project Title: Youth Access Project

Summary: The aim of this project is to address ableism in the provision of public and social spaces for young people. It will bring together a diverse group of young people with disabilities to create a film documentary to raise their voice and highlight the issues impacting them regarding their exclusion from public and social spaces, leading to their inability to interact with their peers. The results of this project will be brought to the attention of decision makers, service providers and organisations that work with young people with the intention of creating more accessible spaces for all young people to engage with each other on an equal footing.

Organisation: Cork Traveller Visibility Group

Partner: Cork Traveller Women's Network

Project Title: Cork City Traveller Archive Project

Summary: The aim of this project is to compile and digitally archive a long and rich history of photographs and key documentation relating to Traveller heritage, activism (particularly human rights activism) and culture in Cork, to categorise it according to best practice with the involvement of a peer archivist and to make the material accessible to a wide audience. The goal is to create greater understanding and awareness among a wider audience of the struggles that Traveller activists have faced in terms of advocating for change and in the process build greater capacity for Travellers who want to train as archivists, as well as those who wish to better understand their history and heritage.

Organisation: Sports Against Racism Ireland

Project Title: Inclusive Education through Sport

Summary: The aim of this project is to co-produce, with ethnic minority young people, an education resource to be used in primary schools by teachers and students (10-13 years) that will complement and add value to a series of anti-discrimination and anti-racism workshops delivered through the medium of sport by youth educators in SARI. While the resource will be rolled out to all schools, the primary target groups are working class and disadvantaged youth and children from diverse ethnic minority and indigenous Irish backgrounds.

2022-2023 Grant projects closed

Organisation: Irish Wheelchair Association

Project Title: Think Ahead, Think Housing 2023

Summary: The aim of this project is to develop an awareness campaign to highlight the lived experience of disabled people in the housing market and in particular on the approved social housing waiting list across the country. This project will highlight areas of non-compliance with public sector equality and human rights through the lens of rights-holders lived experience.

Organisation: Longford Women's Resource Group

Partner: National Women's Council of Ireland and Maynooth University

Project Title: Migrant women's experience of economic inequality

Summary: The aim of this project is to conduct research, to capture the lived experience of migrant women in rural communities in the Midlands of Ireland at risk of economic inequalities. The findings will be translated into co-created policy recommendations and practical measures to facilitate inclusion and active participation of migrant women in the workforce and more broadly. Tangible outcomes include a manual for rights holders to support their inclusion and participation in rural communities and a good practice guide for civil society organisations to ensure inclusion of migrant women in local decision-making structures.

Organisation: Family Carers Ireland

Project Title: Valuing Care work: Improving Family Carers' Access to Adequate Income Supports

Summary: The aim of this project is to advance greater economic equality for family carers through the development of an income support reform proposal. Using qualitative and quantitative research to examine the challenges carers experience in accessing Carer's Allowance, the project will merge the knowledge of carers, practitioners and academics to co-produce solutions and co-develop a concrete income support reform proposal with implementation recommendations for carers.

Organisation: Hygiene Bank Ireland

Project Title: Understanding Hygiene Poverty

Summary: The aim of this project is to conduct research into the effects of hygiene poverty in Ireland. By gaining a better understanding of hygiene poverty, The Hygiene Bank Ireland aims to influence the definition of poverty to account for this form of poverty and ensure that the inability to afford hygiene items is included as a deprivation indicator by the Central Statistics Office.

The research aims to highlight peoples lived experiences of hygiene poverty. The findings and recommendations will be shared to inform the conversation on poverty and the living wage more generally.

Organisation: Doras

Project Title: Transformative Human Rights Education for Migrant & Refugee Communities

Summary: The aim of this project is to develop accessible human rights education/training co-designed with rights holders to build leadership skills and expertise within the migrant and refugee communities to address economic inequality. The project will include a series of in-person workshops and online interactive education resources accessible in multiple languages and shared on the SaorEd education platform. Its focus will be understanding employment rights and transformative human rights education to advocate on social welfare, housing and education.

Organisation: Irish Refugee Council

Project Title: Improving the living conditions of newly arrived people seeking international protection

Summary: The aim of this project is to advance the human rights of newly arrived people seeking international protection in Ireland by carrying out a survey to better understand their financial difficulties when they arrive and an audit of the daily expenses allowance. This will lead to the publication of a policy paper with recommendations to improve the system and advocate for changes to the relevant policies and legislation.

Organisation: Action Aid

Partner: National Women's Council of Ireland

Project Title: Economic Equality for Carers: A Symposium on Care

Summary: The aim of this project to strengthen the advocacy and capacity of women carers, carry out policy analysis, and organise a Symposium on Care that will bring together rights-holders, along with national and international experts to provide solutions on how we can reorganise care. This work will inform the development of a policy paper that will offer a set of policy solutions and increase awareness of care as a crucial human rights and equality issue among politicians, policymakers, media and other NGOs.

Organisation: Phoenix Women's Centre, Kerry

Project Title: Race and Gender: An Examination of Intersectional Barriers in Employment in Rural Ireland

Summary: The aim of this project is to carry out qualitative and quantitative research to give women of colour a voice regarding their experience of employment and examine the barriers they face in a rural town setting in South West Ireland. The research, which will be undertaken by researchers from Munster Technological University and the National College of Ireland, in collaboration with the Phoenix Women's Centre, will explore the specific ways in which both gender and race (re) produce inequality in our labour market. It aims to propose a set of supports for employees and employers to combat the reproduction of intersectional bias and promote these to the relevant stakeholders.

Organisation: Inclusion Ireland

Project Title: Make it Work – Promote Employment for All!

Summary: The aim of this project is to build the capacity of a group of people with intellectual disabilities to lead and facilitate discussions with other people with intellectual disabilities to speak about their right to work. The group will get involved in the Budget 2024 campaign to highlight employment related issues. The project will also produce a code of good practice for employers with input from companies. Models of good employment practice in Ireland will be highlighted through videos and podcasts.

Organisation: Irish Network Against Racism

Partner: Community Action Network

Project Title: Communities Speaking Out: Minority Ethnic Leaders STAND against racism

Summary: The aim of this project is to deliver a training programme that addresses racism including institutional and structural racism. It will include the role of the Public Sector Equality and Human Rights Duty in addressing these issues. It will develop the skills of a group of minority ethnic leaders who want to become anti-racism facilitators and provide human rights based and values led training. This will fill a gap for ethnic minority led training in this sector. It is intended that the programme be expanded into a social entrepreneurship model, where the Minority Ethnic Leaders become paid trainers.

Organisation: Ruhama

Partner: The Sexual Exploitation Research Centre, UCD

Project Title: The sexual violence and trauma of prostitution - supporting exit pathways and ending the sex trade

Summary: The project aims, through a conference, to influence positive change in knowledge and understanding of the impact of prostitution, trafficking and sexual exploitation. It will give voice to people who are impacted through contributions from survivors. It aims to discuss supports needed to empower women to exit prostitution and advance economic equality for women by supporting pathways to economic independence. A report of the conference will disseminated.

Organisation: Gorm Media

Project Title: Intercultural Training Programme to promote compliance with the Public Sector Duty

Summary: The aim of this project is to develop participatory research with culturally diverse rights-holders that informs the development of an intercultural training programme to support public bodies to comply with their duties to promote and protect human rights and equality. It will provide a mechanism to support public bodies to enhance their engagement in intergroup dialogue and to adopt an evidence based approach to their human rights and equality assessments so that the rights of marginalised culturally diverse groups can be better protected and addressed.

Organisation: All Together in Dignity Ireland

Project Title: Voicing and Acting on Socio-Economic Discrimination: Taking a Human Rights Approach to Raising Awareness and Building a Deeper Understanding

Summary: The aim of this project is to develop a series of tools including an academic paper, an exhibition, and a short film with rights holders who have lived experience, to raise awareness and challenge perceptions of socio-economic discrimination and its relevance to the public sector duty. It aims to break barriers between rights holders and public bodies (including academics and practitioners) and thus giving rights holders/ peer researchers a space to present their issues to the relevant public bodies and support public bodies in adopting an evidence-based approach to their equality and human rights assessment.

Organisation: Community Law and Media

Project Title: Capacity Building Training Sessions of Public Bodies' on the Public Sector Duty

Summary: The aim of this project is to deliver three training sessions to public bodies to support them to better understand and apply the Public Sector Equality and Human Rights Duty as part of their strategic planning and thereby strengthen their compliance. The training aims to assist in cultural change and for public bodies to have a proactive approach to make equality and human rights an integral part of their work.

Organisation: Disability Federation of Ireland

Project Title: Building capacity on the Public Sector Duty for DFI and its Member Organisations

Summary: The aim of this project is to deliver capacity building, training and education on the Public Sector Equality and Human Rights Duty to enable the Disability Federation of Ireland to understand and recognise its own responsibilities and that of its 121 member organisations to support compliance with the duty in the disability sector. The process will be evaluated as the project aims to foster changes in attitudes and behaviours through education and training developed as a result of this initiative.

Organisation: Cultúr Migrant Centre, Meath

Project Title: Peer To Peer: Community Human Rights Platform

Summary: The aim of this project is to create a Community Human Rights Platform made up of migrant organisations and leaders in Meath and a programme of activities that will create awareness and understanding among migrant communities and local communities of their rights and the obligations of duty bearers, including the function of the Public Sector Equality and Human Rights Duty and how it's implementation can improve access to and the experience of public services.

Organisation: National Council of the Blind of Ireland

Project Title: Your Rights Roadshow – Promoting the Public Sector Equality and Human Rights Duty

Summary: The aim of this project is to host hybrid advocacy meetings in five locations for people who are blind or vision impaired to achieve greater awareness of the function of the Public Sector Equality and Human Rights Duty. It's propose is to increase their advocacy skills in this regard and support these local networks to engage with local public service(s). It will also help to build relationships and capacity to address issues into the future.

Organisation: ASIAM

Project Title: Inclusive Education in Ireland - Rights, Responsibilities and Duties

Summary: The aim of this project will carry out a consultation and policy analysis on inclusive education in Ireland, with a particular focus on reduced timetables, suspensions, and expulsions leading to a report on the current situation. It will inform the development of a Resource Guide for the autistic community, wider disability community and families to empower them to vindicate their rights to an appropriate education. The report in particular will be used to inform and hold public bodies to account to meet their equality and human rights obligations in relation to education.

Organisation: Age Action

Project Title: Digital First Should Not Mean Digital Only – The Public Sector Duty and Digital Exclusion

Summary: This aim of this project is to involve older people in informing an equality and human rights analysis of the relevant strategies and policies to advance the delivery of public services digitally. The report will provide an evidence base for the naming of digital exclusion as an issue as well as demonstrating how the Public Sector Equality and Human Rights Duty can be applied to address equality and human rights issues arising from the stated Government commitment to a 'digital first' approach to delivering public services.

Organisation: Mercy Law Resource Centre

Project Title: Social Housing, Domestic Violence and the Public Sector Duty

Summary: The aim of project is to bring about a change in attitudes, practices and laws that negatively impact people who have experienced domestic violence and engage with social housing supports, with a focus on the obligations set out under the Public Sector Equality and Human Rights Duty. The components of the project include a conference of stakeholders, supported by a report with practical recommendations.

Organisation: Age & Opportunity

Project Title: Learning from Covid 19 – The Voice of Older People as Rights Holders

Summary: The aim of project is to carry out peer led participatory research that captures the experiences of older people to the public sector response to Covid-19 and whether they feel that their human rights were respected throughout the pandemic. It will explore older people's awareness of the Public Sector Equality and Human Rights Duty and its potential. The findings will be used to inform a set of recommendations for public sector bodies to improve their awareness of and adherence to the Duty in relation to such public health crises.

Organisation: Ballymun Community Law Centre

Project Title: Community legal knowledge in Ballymun: education programme needs analysis.

Summary: The aim of the project is to gain an up-to-date understanding of the legal education needs and interests of the community in Ballymun through consultation in order to keep the programme relevant and engage greater numbers of local Ballymun people. This education programme empowers people facing high and systematic labour market discrimination to vindicate their rights.

Organisation: Hawkswell Theatre

Partner: HSE Training Service, National Learning Network, This Ability, Down Syndrome Sligo

Project Title: SHINE – Drama Participation Programme with People with Disabilities

Summary: This project aims to achieve greater equality of accessibility by supporting people with intellectual disabilities to access theatre as participants. A series of immersive drama workshops for people with intellectual disabilities will be provided, along with training for local artists to work in this area. Engagement with community groups and support services will shape the programme. The artist training programme devised will be available to other Arts venues who are interested in integrating accessibility into their practice in the future.

Organisation: Rialto Community Drugs Team

Project Title: Development of a Service User Human Rights Charter

Summary: The aim of this project is to build understanding and use of the Public Sector Equality and Human Rights Duty and to capture service users' experience so as to develop an evidence based approach to developing a service users' charter of rights and responsibilities and empower service users to voice their views.

Organisation: Fatima Groups United

Project Title: Fatima for ALL

Summary: The aim of this project is to understand the needs of local migrant groups, build relations and develop a human rights action plan setting out how those issues can be addressed by the community, and public bodies.

Organisation: Blanchardstown Traveller Development Group

Partner: Technological University Dublin (TU) - Blanchardstown Campus

Project Title: Traveller access to and participation in Higher Education – What Supports Work

Summary: The aim of this project is to carry out action research with the engagement of Traveller peer researchers to establish what works in supporting Travellers access to and participation in higher education. The learning from the research will inform TU's – Blanchardstown Campus - public sector equality and human rights duty obligations in relation to access and participation of members of the Traveller community in higher education.

Pre-2022 projects closed

Organisation: INTO – Irish National Teachers Organisation

Summary: This project aims to empower and enable educators in the primary school sector to proactively create more inclusive, racially embracing and anti-racist schools by building the capacity of teachers, principals and deputy principals to understand racism and race/ethnicity/cultural bullying, harassment and discrimination as well as in understanding how they can create a more inclusive racially embracing and anti-racist school and to work with Migrant teachers to support them securing teaching positions within the education sector.

Organisation: Women for Election

Partner: National Women Travellers Forum

Project Title: Traveller Women for Election – Changing the Face of Irish Politics

Summary: This project aims to inspire, equip and support Traveller women to run and succeed in Irish politics while also working to combat gendered and racist barriers which to date impeded Traveller women's full participation in Irish Politics. This will be delivered through bespoke training and mentoring for Traveller women participants and anti-racism and cultural awareness training for staff and officials in political parties.

Organisation: Gheel Autism Services

Partner: WALK and ASIAM

Project Title: IMPACT – Inspiring Meaningful & Progressive Autistic Career Progression

Summary: The aim of this peer led participatory research project is to examine the barriers faced by Autistic people in progressing in further education and employment and to develop models of best practice support that can be replicated across the country.

Organisation: EPIC

Project Title: Progressing the Rights of children and youth with disabilities in the care system and aftercare

Summary: The aim of this research project is to improve awareness and understanding of children and young people in care with disabilities to ensure their rights are upheld in policy and practice and in line with the provisions of the UNCRPD.

Appendix 8: Your Rights data

Protected Ground	Equal Status Acts	Employment Equality Acts	Intoxicating Liquor Act	Total
Age	35	29	6	70
Civil Status	12	5	1	18
Disability	157	94	0	251
Family Status	12	15	1	28
Gender	31	39	1	71
Housing	26	Not applicable	Not applicable	26
Race	70	30	5	105
Religion	20	8	0	28
Sexual Orientation	5	3	0	8
Traveller Community	24	0	7	31
Ground not stated	53	89	10	152
Total	445	312	31	788

Human Rights Topics	Queries
Administration of Justice	1
Children's Rights	4
Decent Work/Right to Work	5
Immigration/Family Reunification/Right to remain	38
Private, Family Life, Home and Correspondence	23
Right to Education	1
Freedom of Expression	1
Equality/Non-Discrimination	7
General/Misc	70
Protection of Property	2
Freedom of Movement	2

Human Rights Topics	Queries
Historical Institutional Abuse/Redress	14
Asylum Seekers/ Direct Provision	82
Inhuman, Degrading Treatment and Punishment	13
Unlawful Detention/Conditions of Detention	13
Fair Procedures/Fair Trial	24
Homelessness/Social Housing, Living Conditions	87
Rights Relating to Health, Bodily Integrity	28
Administration of Justice	1
Children's Rights	4
Total	415

Appendix 9: Monitoring Implementation of the Public Sector Equality and Human Rights Duty

Overview

In December, we launched a compliance-monitoring portal to facilitate the monitoring of compliance levels among public bodies with section 42(2) of the Irish Human Rights and Equality Commission Act 2014.

In total, 313 public bodies were invited on to the portal to review data gathered by the Public Sector Duty team. Public bodies were requested to submit a return to us via the portal with any clarifications or supplementary data relevant to their compliance with the Duty in the year ending December.

The monitoring process aimed to ascertain whether public bodies had published, as required by section 42 of the IHREC Act:

- An equality and human rights assessment;
- Policy, plans and actions in place or proposed to be in place to address issues in that assessment; and
- A report on progress and achievements in addressing issues identified in the above.

All of this information must be set out in a manner that is accessible to the public in the public bodies' strategic plan (howsoever described) and annual reports.

56 (18%) public bodies had completed and published their equality and human rights assessment. 63 (20%) of the public bodies had indicated they had conducted an assessment, and taken action to address issues raised. 12% are fully compliant with section 42(2).

The information presented in this report reflects progress by public bodies on their compliance with section 42(2) of the IHREC Act only – namely the requirement to publish relevant information. The 313 public bodies, who were deemed to come into scope of section 42 of the IHREC Act 2014 for the purposes of this reporting year were divided into 14 thematic sectors for statistical purposes.

Total publication rates

Figure 1 shows that in 2023, 38 of the 313 public bodies were meeting their obligation under section 42(2) in full, while 26 public bodies had partially met those obligations. This demonstrates a headline figure of 20% of public bodies meeting their publication obligations in part or in full.

A further 88 (28%) submissions to the portal by public bodies set out that they were in the process of completing an assessment and/or taking steps to meet their obligations under section 42.

Publishing status in Figure 1 is based on whether a public body has published the equality and human rights assessment, policies, plans, actions and report required under section 42

— Figure 1

Sector	Number of public bodies	Published		Partially Published		Not Published	
		Number	%	Number	%	Number	%
Cultural Institution	16	0	0	1	6	15	94
Education	58	4	7	4	7	50	86
Environment and Energy	12	0	0	1	8	11	92
Financial and Economic Bodies	19	4	21	0	0	15	79
Government Department	18	5	28	5	28	8	44
Health and Wellbeing	25	4	16	0	0	21	84
Housing and Property	14	2	14	0	0	12	86
Justice and Legal	43	10	23	6	14	27	63
Local Authority	31	3	10	4	13	24	77
Other State Agency	25	2	8	3	12	20	80
Research and Advisory	9	1	11	1	11	7	78
State Company	26	2	8	0	0	24	92
Support and Development Bodies	10	1	10	1	10	8	80
Transport Bodies	7	0	0	0	0	7	100
Overall Totals:	313	38	12%	26	8%	249	80%

Equality and Human Rights assessment publication rates

Figure 2 shows that 56 (18%) public bodies completed and published their equality and human rights assessment.

— Figure 2

Sector	Number of public bodies required to publish by thematic sector	Published required assessment	
		Number	%
Cultural Institution	16	1	6
Education	58	6	10
Environment and Energy	12	1	8
Financial and Economic Bodies	19	4	21
Government Department	18	8	44
Health and Wellbeing	25	4	16
Housing and Property	14	2	14
Justice and Legal	43	14	33
Local Authority	31	6	19
Other State Agency	25	5	20
Research and Advisory	9	1	11
State Company	26	2	8
Support and Development Bodies	10	2	20
Transport Bodies	7	0	0
Overall Totals:	313	56	18%

Equality and Human Rights Policy/plans/action publication rates

Figure 3 shows that 55 (18%) public bodies had set out policies, plans or actions in place or proposed to be put in place to address the issues identified in the assessment in 2023.

— Figure 3

Sector	Number of public bodies required to publish by thematic sector	Published plans	
		Number	%
Cultural Institution	16	1	6
Education	58	4	7
Environment and Energy	12	1	8
Financial and Economic Bodies	19	4	21
Government Department	18	10	56
Health and Wellbeing	25	4	16
Housing and Property	14	2	14
Justice and Legal	43	16	56
Local Authority	31	5	16
Other State Agency	25	5	20
Research and Advisory	9	1	11
State Company	26	2	8
Support and Development Bodies	10	2	20
Transport Bodies	7	0	0
Overall Totals:	313	55	18%

Equality and Human Rights report publication rates

Figure 4 represents the same figure as the total of public bodies who met their publication requirements in full by reporting on progress of the published actions in 2023

— Figure 4

Sector	Number of public bodies required to publish disaggregated by sector	Published report	
		Number	%
Cultural Institution	16	0	0
Education	58	4	7
Environment and Energy	12	0	0
Financial and Economic Bodies	19	4	21
Government Department	18	5	28
Health and Wellbeing	25	4	16
Housing and Property	14	2	14
Justice and Legal	43	10	23
Local Authority	31	3	10
Other State Agency	25	2	8
Research and Advisory	9	1	11
State Company	26	2	8
Support and Development Bodies	10	1	10
Transport Bodies	7	0	0
Overall Totals:	313	38	12%

Sub-sector breakdown

- 20% of bodies under the aegis of a Governmental Department are meeting their publication obligations under section 42(2).
- 8% of third-level educational institutions fully or partially published.
- A further 12 (46%) third-level institutions made submissions to demonstrate commitment to the Duty and equality and human rights.
- 31% Education and Training Boards fully or partially published.
- 27 % Regulatory & Oversight bodies fully or partially published.

Structures in Place

132 public bodies provided additional information to us. Submissions indicated that bodies had one or more type of structure in place to support implementation of the Duty. This is especially evident in regard to having a dedicated working group on the Duty, a Duty implementation plan, and senior-level staff assigned responsibility for the Duty. Below are examples of the infrastructure public bodies have indicated is in place to support them in the implementation the Duty.

- Dedicated cross grade working group;
- Internal staff surveys and collection of equality data;
- Audit of policies and inclusion of Duty in policy or governance frameworks;
- Training of on equality and human rights for management;
- Completion of IHREC E-Learning module for all staff;
- Senior staff members undertaking the IPA Diploma in human rights and equality;
- Senior-level staff assigned responsibility;
- Duty implementation plan;
- Accessibility and equality Officers appointed; and
- Increased visibility of equality and human rights values through communication channels and promotional materials.

Key Findings

The evidence gathered through this process shows that compliance with the requirements of the Public Sector Equality and Human Rights Duty remains limited. Only 20% (64) of total respondents had met some or all of the requirements under section 42(2) of the IHREC Act, namely to have conducted an assessment, identified actions to be taken on foot of that assessment, and reported on progress against those actions. The slow implementation is reflected across all sectors. However, there is also evidence from submissions of an intention to address future compliance. Almost half (48%) of public bodies have met some publication requirements, or given details of their plans to implement the Duty.


A large number of public bodies are producing Equality, Diversity and Inclusion policies, which demonstrates a welcome commitment to equality and human right principles across the public sector. However, it is important that clarity is maintained as to the statutory obligations on a public body under section 42 of the IHREC Act, and that relevant actions are taken to meet those obligations. The Duty can act as a framework for implementing Equality, Diversity and Inclusion policies, but such policies are not an indicator that a public body is compliant with the requirements of section 42 of the IHREC Act.


A total of 170 public bodies registered and accessed the portal. The portal shows evidence of public bodies preparing to implement the Duty, with 28% of public bodies indicating intent to progress implementation in the coming months or in their next strategic cycles.



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