Hate Speech & Hate Crime

The State’s response to hate speech should make use of the criminal law and other policy and regulatory measures to encourage non-discriminatory discourse.

Recommendations

<table>
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<tr>
<th>Modernise legislation</th>
<th>Address hate motivation</th>
<th>Consult widely</th>
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<tbody>
<tr>
<td>Reform the Prohibition to Hatred Act (1989), including to address online incitement to hatred and hate speech.</td>
<td>Strengthen the law around crimes motivated by hate or prejudice.</td>
<td>Consult with groups targeted by hate crime and with civil society organisations.</td>
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<tr>
<th>Create clear timelines</th>
<th>Enhance education for authorities</th>
<th>Improve monitoring and recording</th>
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<tr>
<td>Commit to a clear, time-bound action plan to update hate crime law and practice.</td>
<td>Equip key actors in the criminal justice system, including the judiciary, prosecutors, and investigators, to better serve and meet the needs of minority ethnic communities.</td>
<td>Reform of the PULSE system and data collection by An Garda Síochána, including to record discriminatory motives in offences.</td>
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<th>Alternative reporting mechanisms</th>
<th>Regulate online sphere</th>
<th>Raise media capacity</th>
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<td>Provide alternative mechanisms for victims and witnesses to report hate crimes.</td>
<td>Develop a comprehensive regulatory framework to combat prejudicial and discriminatory content and hate speech online.</td>
<td>Encourage the media to update codes of professional ethics and press standards, including through training and sanctions, to combat the circulation of prejudicial and discriminatory content.</td>
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The Commission remains concerned at significant human rights issues relating to Ireland’s international protection system, including the racial segregation and isolation of international protection applicants.

**Recommendations**

**Ensure effective legal advice**

Ensure effective legal advice for international protection applicants at an early stage through the Civil Legal Aid Board.

**Evaluate immigration detention**

Regularly evaluate immigration detention, which should not be punitive and should only be used as an individual measure that is exceptional, proportionate, and necessary.

**Carry out inspections**

Develop a robust, independent inspection mechanism to ensure that national standards are fully implemented, including in emergency accommodation centres.

**Phase out direct provision**

In the long term, completely phase-out of direct provision, which does not adequately protect the rights of international protection applicants.

**Cease use of emergency accommodation**

Emergency accommodation does not adequately protect the rights of international protection applicants.

**Do initial and ongoing vulnerability assessments**

Deliver appropriate services for individuals, including reasonable accommodation for people with disabilities and supports sensitive to gender and sexual orientation.

**End for-profit model**

Move away from the for-profit model of direct provision. All current outsourcing should be subject to international human rights standards and the Public Sector Equality and Human Rights Duty.

**Strengthen family reunification**

Address deficiencies in the statutory framework for family reunification. Add an independent appeals procedure for family reunification applications.

**Track unaccompanied and separated children**

Improve data and policy on unaccompanied and separated children. Publish guidance to support the international protection applications through the Child and Family Agency.
Minority ethnic groups face significant disadvantage, including in access to labour, access to services, housing, education, and health. Travellers, Roma, and people of African descent experience significant barriers to accessing employment.

### Recommendations

<table>
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<tr>
<th>Withdraw the reservation</th>
<th>Address experiences of discrimination</th>
<th>Collect data across all sectors</th>
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<td>Withdraw the reservation on Article 4 of the Convention as a matter of priority.</td>
<td>Acknowledge and address racism and racial discrimination. Put in place a new national action plan against racism and adopt public awareness-raising and education measures.</td>
<td>Improve collection and reporting of human rights and equality data on minority ethnic groups across all sectors to inform policy-making, legislative reform, and service provision.</td>
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<tr>
<th>Tackle hate speech, hate crime</th>
<th>Support Traveller community</th>
<th>Diversify Ireland’s public service</th>
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<tr>
<td>Make use of the criminal law and other policy and regulatory measures to encourage non-discriminatory public discourse.</td>
<td>Address the persistent racism and discrimination faced by Travellers, and the inequitable outcomes experienced by this community in areas such as education and health.</td>
<td>Reflect the diversity of Irish society as a public service employer and service provider, to better reflect and meet the needs of minority ethnic communities.</td>
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<th>Enable participation in public life</th>
<th>Phase out direct provision</th>
<th>Combat human trafficking</th>
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<td>Take positive action to increase the participation of minority ethnic groups in politics and public life.</td>
<td>In the long term, completely phase-out direct provision, which does not adequately protect the rights of international protection applicants.</td>
<td>Strengthen investigations and prosecutions of human trafficking along with victim identification and assistance.</td>
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The Traveller Community

There is a demonstrable history of chronic racism and discrimination against the Traveller community in Ireland. Travellers continue to face significant barriers to the enjoyment of the rights to healthcare, adequate and culturally appropriate housing, education, and decent work.

Recommendations

Address discrimination and prejudice against Travellers

Put in place a new national action plan against racism and adopt public awareness-raising and education measures.

Improve educational supports for Travellers

Make available targeted educational supports for Traveller children from the early years and throughout school. Introduce appropriate safeguards and monitor the use of reduced timetables.

Improve Traveller mental health

Address the ‘exponentially high’ levels of mental ill-health in the Traveller community, including the underlying causes such as poverty, poor housing, lack of employment, inequality, racism, and the lack of cultural respect.

Promote understanding of Traveller culture

Support Travellers in preserving and developing their identity and culture. Introduce mandatory programmes on Traveller history and culture in the school curriculum and in teacher education.

Provide appropriate legal services

Support the provision of specialist legal services to Travellers and make civil legal aid services available in eviction proceedings.

Improve Traveller accommodation

Introduce dissuasive sanctions for local authorities who fail to provide Traveller-specific and culturally appropriate accommodation.

Improve Traveller health

Develop additional public health, health promotion, and outreach services to address the disproportionately poor health outcomes of Travellers.

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