



# Hate Speech & Hate Crime

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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

### Modernise legislation

Reform the Prohibition of *Incitement to Hatred Act* (1989), including to address online incitement to hatred and hate speech.

### Address hate motivation

Strengthen the law around crimes motivated by hate or prejudice.

### Consult widely

Consult with groups targeted by hate crime and with civil society organisations.

### Create clear timelines

Commit to a clear, time-bound action plan to update hate crime law and practice.

### Enhance education for authorities

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.

### Improve monitoring and recording

Reform of the PULSE system and data collection by An Garda Síochána, including to record discriminatory motives in offences.

### Alternative reporting mechanisms

Provide alternative mechanisms for victims and witnesses to report hate crimes.

### Regulate online sphere

Develop a comprehensive regulatory framework to combat prejudicial and discriminatory content and hate speech online.

### Raise media capacity

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.





# International Protection

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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.





# Key Recommendations

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**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

### Withdraw the reservation

Withdraw the reservation on Article 4 of the Convention as a matter of priority.

### Address experiences of discrimination

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.

### Collect data across all sectors

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.

### Tackle hate speech, hate crime

Make use of the criminal law and other policy and regulatory measures to encourage non-discriminatory public discourse.

### Support Traveller community

Address the persistent racism and discrimination faced by Travellers, and the inequitable outcomes experienced by this community in areas such as education and health.

### Diversify Ireland's public service

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.

### Enable participation in public life

Take positive action to increase the participation of minority ethnic groups in politics and public life.

### Phase out direct provision

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

### Combat human trafficking

Strengthen investigations and prosecutions of human trafficking along with victim identification and assistance.





# The Traveller Community



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**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.





# Leadership across the political and public institutions of the State



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**Ireland is a diverse, multi-ethnic and multinational society, and in this country no-one should be subjected to racial discrimination. Sustained leadership from political and public institutions is required to effectively combat racial discrimination, and to ensure an inclusive society.**

## Recommendations

### Challenge racism at State level

The State should put in place a new national action plan against racism, with effective participation of minority ethnic communities in the process of developing, monitoring and reviewing policy frameworks, at both a national and local level.

### Support minority ethnic groups in accessing decent work

Travellers, Roma, people of African descent experience significant barriers to accessing employment. Structural barriers impeding access in recruitment, recognition of qualifications and specific barriers faced by asylum seekers need to be broken down.

### Responsive public services

The Commission is concerned that currently, public services in Ireland are not yet sufficiently responsive and sensitive to the needs of minority communities.

### Ensure accessible health and social services

Introduce measures to progress the delivery of cultural competency training across frontline health services. Identify what different communities need - such as accredited interpretation - to be able to access services.

### Improve access to education

Introduce mandatory programmes on promoting understanding and combatting racism in initial and continuous teacher education programmes.

### Implement the Public Sector Equality and Human Rights Duty

The assessment of human rights and equality issues under this legal duty supports a public body to identify service delivery and workplace policies, procedures, and practices.

### Enable political participation

Support and promote more equal participation of groups including minority ethnic communities in decision-making through positive action measures.

