

Promoting & Protecting Human Rights in Ireland

Human rights are not privileges: they are entitlements.

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This is the Irish Human Rights Commission's (IHRC) second strategic plan. Even in the short time since the Commission's establishment in 2001, Ireland has experienced rapid change. Economic progress has contributed to increased well-being and an enriching diversity of people living in Ireland. However, not everybody has benefited equally, highlighting the importance of having a culture and ethos of respect for human rights. Peace is now a reality and we can look forward to new levels of co-operation on the island of Ireland. This Plan sets out to address those opportunities for, and challenges to, promoting and protecting human rights in Ireland.

The IHRC's first Strategic Plan was published in November 2003. It was published at a time when the Commission was not long established, had virtually no staff, was still in temporary accommodation and had few international models to give it guidance. The work of devising the Plan was driven by the Commissioners seeking to translate their legislative mandate and best international human rights practice into a workable and sustainable strategic plan for the new Commission.

Conscious of scarce resources, the initial Strategic Plan was focused and ambitious. Reflecting back now, considerable progress has been made in promoting and protecting human rights in Ireland. More importantly, the Commission itself has gone through a learning curve that was both steep and deep and, with the help of first-class staff, has put down foundations that are firm. It has established itself both nationally and internationally as an effective and authoritative human rights commission.



The experience and lessons of the first five years have been crucial in the preparation of this new Strategic Plan. Once again we are conscious of the need to be focused, of the need to work closely with all others in the human rights area and of the necessity to avoid any needless duplication. We are grateful to all who have shaped the Plan.

We are conscious too of the need to continuously incorporate best practice standards in all that we do. Our central aim remains the ambition for us of Taoiseach Bertie Ahern TD in 2002 when he said, 'the Commission would be a model for others to follow and one that would set, rather than follow, standards of best international practice.'

This Plan sets out the strategic goals of the Commission for the next five years. It focuses on promoting a culture and ethos of respect for human rights in Irish society. It seeks to achieve this by embedding human rights in law, public policy and justice, and by promoting a society that values inclusiveness and diversity and that supports the participation of people in realising their human rights. Working with the Northern Ireland Human Rights Commission offers opportunities to work on common human rights concerns. The Plan also recognises the need to be vigilant in anticipating and addressing emerging challenges to human rights.

The IHRC is still a small and a young organisation. To carry out its mandate effectively, the Commission must increase its resources, and thus continue to set standards of best international practice.

I have no doubt that with the leadership of the Commissioners and the professionalism of our excellent staff, the implementation of this Plan will move us closer to the greater promotion and protection of human rights in Ireland.

A handwritten signature in black ink, appearing to read 'Maurice Manning'.

Dr Maurice Manning
President of the Irish Human Rights Commission

The Mission of the IHRC is to promote and sustain the realisation, protection and awareness of human rights, equally, for all, in law, in policy, and practice.

The Irish Human Rights Commission (IHRC) was established under statute in 2001 to promote and protect human rights in Ireland. The human rights which the IHRC is mandated to promote and protect are the rights guaranteed in the Irish Constitution and the rights covered in the many international treaties and conventions to which Ireland is a party. This plan, for the period of 2007–2011, is the Commission’s second strategic plan. The key elements are summarised below.

Functions

The functions of the Commission are as follows:

- To keep law and practice under review
- To review legislative proposals on request by a minister of the Government
- To consult with national and international bodies
- To make recommendations to Government
- To promote awareness of human rights and undertake research and educational activities
- To conduct enquiries
- To publish reports and research
- To act as *amicus curiae* or ‘friend of the court’ in legal proceedings involving human rights matters
- To participate in the Joint Committee with the Northern Ireland Human Rights Commission (NIHRC)
- To provide legal and other assistance
- To institute legal proceedings

Strategic Goals

The Commission has the following strategic goals:

- To promote a culture and ethos of respect for human rights in Irish society
- To promote the centrality of human rights in the formulation and administration of law, public policy and justice
- To work jointly with the Northern Ireland Human Rights Commission to promote human rights on the island of Ireland
- To promote a society that values inclusiveness and diversity through respect for human rights
- To assess and anticipate emerging challenges to human rights
- To strengthen the organisational capacity of the IHRC to carry out its mandate



Established under statute in 2001, the Irish Human Rights Commission is mandated to promote and protect human rights in Ireland.

1.1 Establishment of the Irish Human Rights Commission

The Commission had its genesis in the Belfast Agreement (Good Friday Agreement) and the requirement for the formation of such a body was also recommended by the Constitution Review Group in 1996. The Good Friday Agreement proposed the establishment of both the Irish Human Rights Commission (IHRC) and the Northern Ireland Human Rights Commission (NIHRC). While the organisations operate to promote and protect human rights in separate jurisdictions, both also collaborate to improve human rights protections on the island of Ireland.

Since its inception, the IHRC has recommended to Government how human rights standards can be reflected in Irish legislation, and it has promoted debate around human rights issues as part of the legislative process. It has also promoted awareness of human rights through the media, conferences and educational activities. The Commission has appeared before the Supreme Court as *amicus curiae*¹ and recently published its first enquiry report into the impact of certain provisions of social welfare legislation on the self-employed.

Since the UN World Conference on Human Rights endorsed ‘the Paris Principles’ (encouraging the establishment of national human rights institutions) in 1993, such institutions have been formed in all major regions across the world. The Irish Human Rights Commission plays an active role internationally and supports the International Coordinating Committee.² The IHRC has served on the executive committee of the International Coordinating Committee’s European Group and currently holds its presidency. The influence and profile of the IHRC has also been enhanced both by the leading role played in the development and drafting of the United Nations treaty on disability and by the Commission’s appearance before a number of international treaty monitoring bodies.

1 Literally as ‘friend of the court’ to assist a court with the interpretation of human rights standards

2 Of national human rights institutions

1.2 Members of the Commission

The Irish Human Rights Commission comprises 15 members, as follows (from top, left to right):

Dr Maurice Manning (President)
Professor William Binchy
Ms Olive Braiden
Dr Rosemary Byrne
Professor Robert Daly
Ms Suzanne Egan
Mr Michael Farrell
Ms Alice Leahy
Ms Lia O'Hegarty
Mr Tom O'Higgins
Professor Helen O'Neill
Professor Gerard Quinn
Mr Roger Sweetman
Mr Mervyn Taylor
Dr Katherine Zappone

Commissioners are appointed by government for a five-year term of office. Biographies for each of the Commissioners are included in Appendix I.





Human
rights
are
everyone's
rights.

Human rights are everyone's rights. They are those basic standards to which all human beings are entitled by virtue of the fact that they are human beings. Human rights are there to ensure that every individual lives a life of dignity. Human rights are not privileges: they are entitlements. Observance of human rights demands that every person's human dignity be respected.

An understanding of human rights may be gained from the Human Rights Commission Acts, the Constitution of Ireland and relevant international agreements. Under Section 2 of the Human Rights Commission Act 2000, the Commission is mandated to protect and promote:

- (a) The rights, liberties and freedoms conferred on, or guaranteed to, persons by the Constitution, and
- (b) The rights, liberties or freedoms conferred on, or guaranteed to, persons by any agreement, treaty or convention to which the State is a party.

Articles 40 to 44 of the Constitution of Ireland outline the fundamental human rights that must be guaranteed. These have been developed and elaborated upon in Irish case law.

Ireland is a party to the European Convention on Human Rights (the provisions of which have been incorporated into Irish law), the Statute of the International Criminal Court, and a number of other international agreements. The more widely known of these international agreements include:

- The International Covenant on Civil and Political Rights
- The International Covenant on Economic, Social and Cultural Rights
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The Convention on the Elimination of All Forms of Discrimination Against Women
- The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- The Convention on the Rights of the Child, and
- The Convention relating to the Status of Refugees

Various Council of Europe agreements are also binding upon the State.

These include:

- The Revised European Social Charter
- The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment, and
- The Framework Convention for the Protection of National Minorities

As a member of the European Union, Ireland is also increasingly affected by the Charter of Fundamental Rights of the European Union.

Section 8 of the Human Rights Commission Act 2000 (detailing the Commission's legislative mandate) is included as Appendix II. Briefly summarised, the IHRC is mandated to:

- Review the adequacy and effectiveness of human rights law and practice in the State
- Examine legislative proposals and report on associated human rights implications
- Consult with national and international human rights bodies
- Make recommendations to government on measures that should be taken to strengthen, protect and uphold human rights in the State
- Promote understanding and awareness of the importance of human rights; sponsor, commission, finance or otherwise support relevant research and educational activities
- Conduct enquiries into relevant matters
- Prepare and publish reports and research (i) to promote understanding of the importance of human rights and (ii) into enquiries held
- Appear before the High Court or Supreme Court (as *amicus curiae*) on issues concerning the human rights of any person
- Establish and participate in a Joint Committee with the NIHRC in accordance with the terms of the Good Friday Agreement
- Provide legal and other assistance to people seeking to protect their human rights
- Institute legal proceedings in matters concerning human rights

**Equal
emphasis
on
civil,
political,
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&
cultural
rights.**

Mission Statement

To promote and sustain the realisation, protection and awareness of human rights, equally, for all, in law, in policy and in practice.

Values

In working to promote and protect the human rights of all, the Commission recognises the universal, indivisible and interdependent nature of human rights. Equal emphasis is therefore placed on the importance of civil, political, economic, social and cultural rights.

- We will act in an independent and objective manner, while also ensuring accessibility, openness and accountability
- We will respect the inherent dignity and equality of all

Operating Principles

- We will work to ensure that Irish human rights law and practice compares favourably with the highest international standards
- Where we believe that they are being undermined or inadequately protected, we will be responsive, clear, impartial and unequivocal in advocating human rights
- Dialogue, consultation and cooperation will be a hallmark of our method of operating, i.e. where relevant or appropriate, and with both domestic and international bodies
- We will exercise our statutory powers in a manner which adds value to work already being undertaken by others to promote and protect human rights
- We will seek to avoid duplication and work collaboratively with other organisations, agencies and individuals, as appropriate, in order to deploy limited resources to best effect

Strategic goals and objectives have been identified and developed to ensure that the work of the Commission is focused and prioritised.

Strategic Goal 1

To promote a culture and ethos of respect for human rights in Irish society

Strategic Goal 2

To promote the centrality of human rights in the formulation and administration of law, public policy and justice

Strategic Goal 3

To work jointly with the Northern Ireland Human Rights Commission to promote human rights on the island of Ireland

Strategic Goal 4

To promote a society that values inclusiveness and diversity through respect for human rights

Strategic Goal 5

To assess and anticipate emerging challenges to human rights

Strategic Goal 6

To strengthen the organisational capacity of the IHRC to carry out its mandate

To promote a culture and ethos of respect for human rights in Irish society

The establishment of a genuine human rights culture is a priority and hallmark of a well-functioning society. Towards this end, all members of Irish society should be both beneficiaries and custodians, with equal responsibilities to promote and protect the rights of one another. It is for this reason that the Commission will integrate greater awareness and respect for equality, diversity, fairness and justice with its promotion of human rights for all. The IHRC will engage with diverse sections of society, directly and through the media, to identify issues and inform debate.

The Commission is committed to further promoting awareness of the importance of human rights among civil and public servants, those involved in education and others. Relevant work will reflect progress and emerging developments in Irish society by placing particular emphasis on equality and diversity.

In support of this approach, the Commission will continue to undertake research into relevant issues. Ongoing support and information will also be provided to those whose rights may be neglected or threatened or require further emphasis.

Strategic Goal 1

Supporting Objectives

Key objectives which will be pursued in support of the above goal include the following:

- Develop an integrated public relations, consultation and media plan that optimises awareness of our activities and publications, while simultaneously informing opinion on human rights
- Design, publish and distribute information leaflets on human rights and the avenues for complaint and redress that are open to all
- Ensure that targeted and effective human rights awareness programmes are developed and provided to relevant civil and public servants
- Engage with the Department of Education and Science and other relevant bodies to develop and promote modules on 'Respecting Human Rights – Equality for All'. Encourage the integration of human rights awareness as part of appropriate educational programmes
- Endeavour to achieve greater civic engagement on human rights issues through, for example, inaugurating a national human rights debate competition in schools
- Engage with An Garda Síochána, the Garda Síochána Ombudsman Commission and the Garda Síochána Inspectorate to help promote a culture of human rights in policing
- Engage with the Inspector of Prisons and Places of Detention, and other similar bodies, with a view to promoting a culture of human rights in relevant institutions
- Work to secure the protection of human rights at all stages of the criminal justice system
- Initiate a process of review with relevant health and psychiatric service organisations to promote a culture of human rights in the provision of such services
- Work collaboratively with other statutory bodies and non-statutory agencies whose mandate includes aspects of the promotion and protection of human rights in Irish society
- Engage with the social partners to promote the protection of human rights. Explore the potential to sponsor awards, recognising human rights efforts on the part of businesses

Performance Indicators

Progress towards achievement will be assessed by reference to performance indicators that detail, for example, the number, nature and effectiveness of training/awareness programmes, information initiatives, conferences, seminars, publications, etc. Further details and target delivery dates are included in our annual business plans.

To promote the centrality of human rights in the formulation and administration of law, public policy and justice

While the Commission will continue to review relevant legislation, draft legislation and practice, in order to ensure that human rights are promoted and not undermined, part of its strategic focus will shift towards influencing policy formulation and legislative drafting at an earlier stage. The Commission believes that by encouraging Ministers and civil servants to place increasing emphasis on human rights at policy development and 'heads of bill' stages, it can be more productive and efficient in shaping relevant sections of legislation.

Consistent with this philosophy, the Commission will seek to promote greater human rights awareness amongst civil servants. The Commission will also continue to pursue legislative and public policy reforms, particularly in areas relating to, for example, equality and diversity which are central to this strategy. In this regard, the IHRC will seek to ensure that domestic law and policy takes account of recommendations emanating from the relevant European and international monitoring bodies.

Further work will be done to encourage the signature and ratification of relevant human rights treaties and conventions. The Commission will also engage with the legal profession and judicial branch as appropriate.



Strategic Goal 2

Supporting Objectives

Key objectives which will be pursued in support of the above goal include the following:

- Engage with the Oireachtas and Government to ensure that human rights principles are incorporated into the development of legislation and policy at the earliest possible stage
- Further develop dialogue with, and seek to present human rights issues to, relevant Oireachtas committees
- Consolidate IHRC independence by seeking to change accountability arrangements such that the Commission becomes accountable to the Oireachtas
- Engage with civil servants/ legislative drafters to develop good human rights practice and to give greater prominence to human rights in legislation
- Engage with the National Economic and Social Council (NESCC), the National Economic and Social Forum (NESF), Combat Poverty Agency and other relevant policy bodies to promote greater awareness of human rights in public policy formulation
- Engage with the legal profession to promote greater awareness of human rights and use of international human rights treaties and conventions
- Undertake comparative research on the use of international human rights treaties that have been ratified by Ireland but are not yet incorporated into domestic law
- Press for the domestic incorporation of those human rights treaties and conventions that are not currently reflected in Irish law and administrative practice
- Engage with bodies such as the Judicial Studies Institute to highlight the significance of relevant human rights treaties/ conventions and their relationship with Irish domestic law
- Actively identify cases of particular human rights' relevance/ importance and apply to make *amicus curiae* appearances as appropriate

Performance Indicators

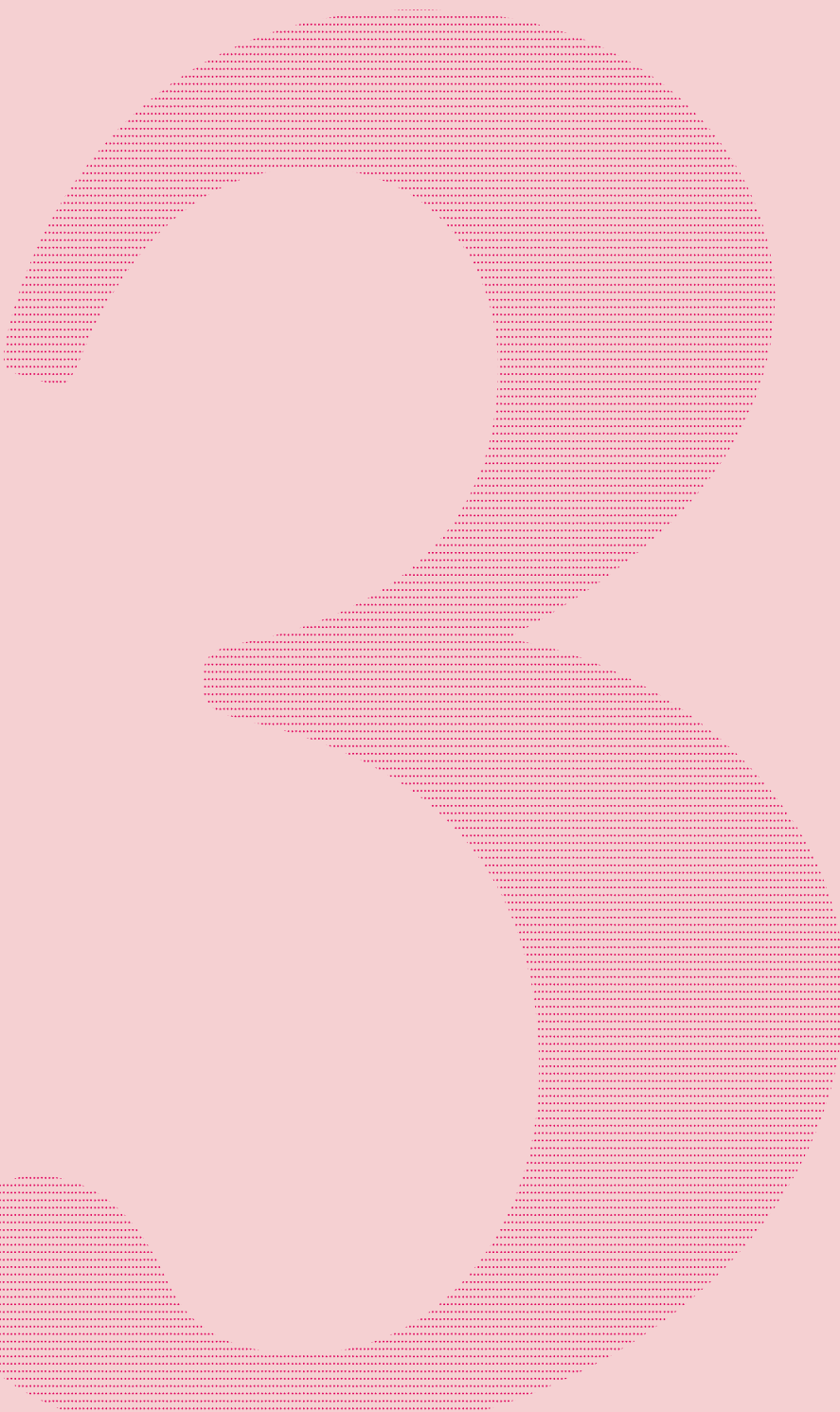
Performance indicators will centre on, for example, progress towards the signature and ratification of human rights treaties/conventions, the number and nature of *amicus curiae* appearances made, the timeliness of legislative reviews, and the incorporation of a human rights perspective in public policy and legislation.

To work jointly with the Northern Ireland Human Rights Commission to promote human rights on the island of Ireland

The terms of the Good Friday Agreement envisaged the establishment of a 'joint committee' of representatives from both the IHRC and the NIHRC. Provision was also made for the possibility of establishing a charter to endorse agreed measures for the protection of the fundamental rights of all people living on the island of Ireland.

The Joint Committee exists as a forum for considering human rights issues on the island of Ireland and also provides an opportunity for both commissions to cooperate in pursuit of commonly agreed objectives. Significant benefits and opportunities arise as both organisations collaborate and offer the advantage of more broadly based perspectives and experience. Much can be learned by reflecting on the Northern Ireland experience of, for example, promoting human rights in policing, equality and political and religious tolerance.

As both commissions look towards a future of greater equality, diversity and tolerance, related priorities are jointly identified, developed and pursued. The process and experience is enriching and the Commission will work to ensure that collaborative opportunities and achievements are optimised during the course of this strategic plan.



Strategic Goal 3

Supporting Objectives

Key objectives which will be pursued in support of the above goal are as follows:

- Review work to date and develop structures that will facilitate closer and more fruitful cooperation between the two commissions
- Consult with the NIHRC with a view to identifying human rights issues of common concern and priorities for action
- Work through the Joint Committee in accordance with the agreed agenda

Performance Indicators

Particular objectives and performance indicators for the forthcoming period will be developed jointly by the IHRC and the NIHRC.

To promote a society that values inclusiveness and diversity through respect for human rights

Unprecedented and sustained economic progress has contributed to, and raised awareness of, diversity in Ireland. How we view difference and promote social inclusiveness is the test of a democracy that emphasises respect for human rights. The State was founded on the principle of 'cherishing all equally' and our economic success has posed new challenges in this regard. Not everyone has benefited equally from this success. Poverty and social deprivation persist. We now have the opportunity to renew our commitment to equality for all.

The Commission will continue to focus on the ways in which human rights laws and principles support the realisation of equality on grounds such as gender, marital and family status, age, disability, race, sexual orientation, religious belief, membership of the Traveller community, socio-economic status, trade union membership, and previous criminal conviction, or any other grounds.³

Laws and policies to end discrimination and protect human rights need to take account of economic, social and cultural rights, while simultaneously being complemented by appropriately tailored supports for different social groups.

The Commission will work to address issues affecting communities and diverse ethnic and minority groups while also identifying economic, structural or related factors that could give rise to the marginalisation of these or other groups.

³ The grounds set out here are not exclusive. They include the nine existing grounds named in the current equality legislation and a number of other grounds referred to in the IHRC's submission to the Department of Justice, Equality and Law Reform on extending the scope of the equality legislation (May, 2005) www.ihrc.ie.

Strategic Goal 4

Supporting Objectives

Key objectives which will be pursued in support of the above goal include the following:

- Strengthen links with bodies representing diverse groups in Irish society to proactively identify and address human rights issues or emerging threats and promote the active participation of these groups in pursuing their human rights
- Identify areas for particular focus and work to promote inclusion and respect for all diverse, ethnic and other minority groups in Irish society
- Review progress with regard to the National Action Plan Against Racism, the National Action Plan on Social Inclusion and the National Women's Strategy
- Research, identify, highlight and address human rights requirements and particular issues affecting, but not limited to:
 - Asylum seekers, refugees, immigrants and migrant workers
 - Ethnic minorities including Travellers
 - Lesbian, gay, bisexual and transgendered people
 - Lone parents
 - Older people
 - People with a disability
 - People who are homeless
 - Prisoners
 - Religious minorities
 - Those suffering from mental health problems
 - Those who live in institutional or residential settings
 - Adults and children involved in prostitution and trafficking
- Proactively integrate consideration of economic, social and cultural rights with work in relation to these groups, in order to ensure real and effective delivery of human rights
- Ensure that these groups, and others experiencing similar vulnerabilities, will be in a position to access justice through the courts

Performance Indicators

Achievements will be assessed on the basis of, for example, the number of relevant bodies with which we cooperate and establish links, research projects undertaken, issues addressed and conferences/information initiatives organised.

To assess and anticipate emerging challenges to human rights

Potential challenges to human rights emanate from various sources and the Commission is required to be increasingly vigilant in this regard. Though it is difficult to anticipate the precise nature of issues that could have future human rights implications, the Commission has an important role to play in considering emerging issues.

By way of example, recent changes in the composition and diversity of Irish society have given rise to questions in respect of religious and cultural freedoms, particularly where these are considered to impact upon more conventional societal norms or values.

Separate developments in the fields of communications, technology, science and engineering, all have the potential to raise important considerations for individual security and privacy. Conditions surrounding storage and access to personal data and related information must reflect key human rights principles and respect for individual privacy.

Greater discussion, debate and awareness of human rights and associated principles also prompt questions about those who have traditionally been marginalised, who may be vulnerable in future, or who are otherwise overlooked by mainstream society.

The Commission will continue to anticipate and assess these and related issues that have the potential to impact on human rights. International as well as domestic developments will be assessed in order to identify areas for review and investigation.



Strategic Goal 5

Supporting Objectives

Key objectives which will be pursued in support of the above goal include the following:

- Ensure vigilance and address threats to human rights that may emerge with developments in communications, technology, medical science, genetics, etc.
- Engage with relevant statutory bodies and agencies to identify and address potential human rights issues
- Review developments in overseas jurisdictions with a view to anticipating and proactively addressing human rights issues that may arise in Ireland
- Develop and maintain links with groups representing the marginalised in society in order to proactively address emerging issues
- Review constraints or impediments affecting access to rights and justice on the part of disadvantaged groups, in particular those who lack adequate representation

Performance Indicators

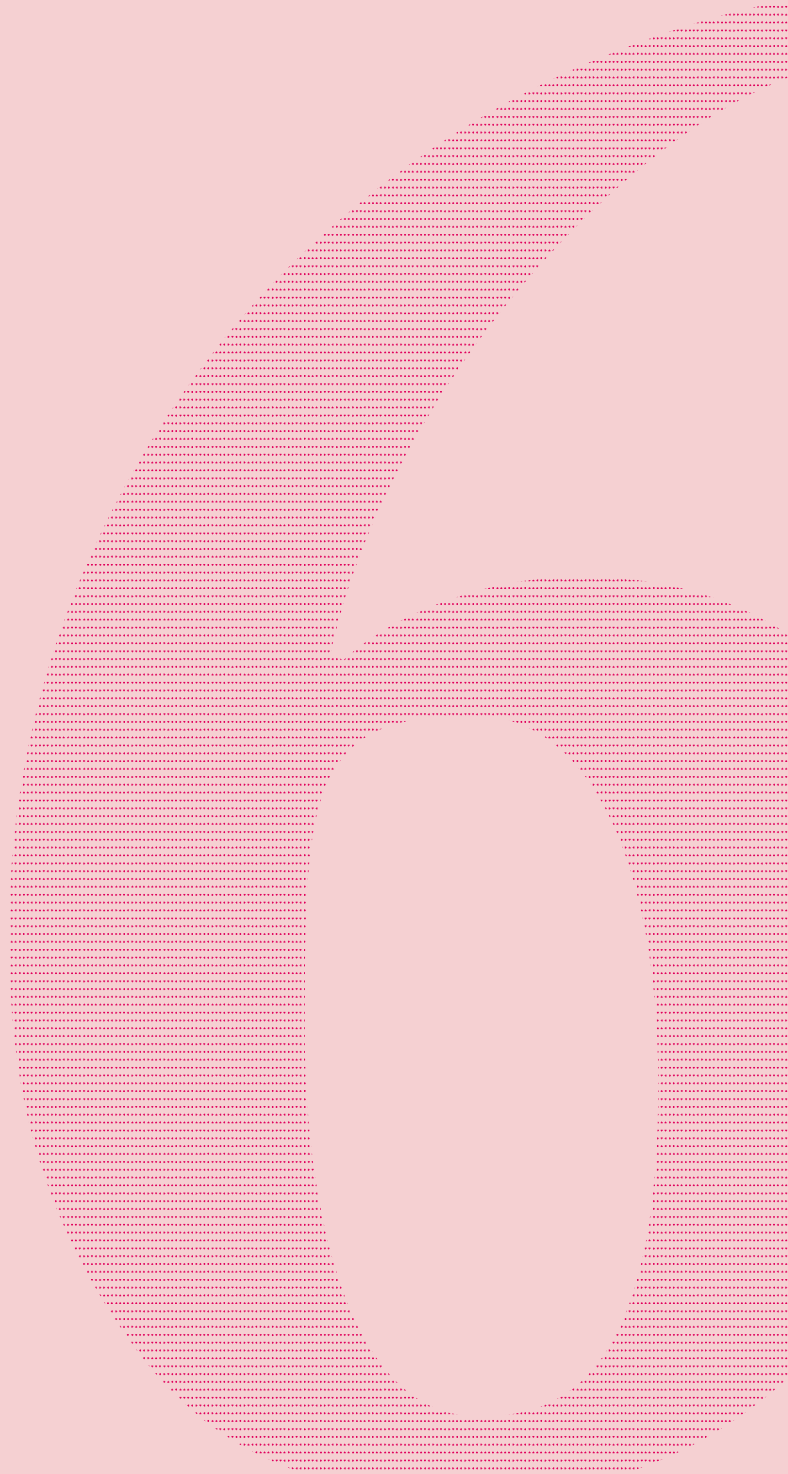
Performance indicators will be determined and developed on the basis of the particular 'emerging challenges' that are selected for review and action.

To strengthen the organisational capacity of the IHRC to carry out its mandate

Despite the significance of the role played by the IHRC both domestically and in relation to international human rights treaties and bodies, available resources are modest and the organisation finds itself increasingly stretched as it works to deliver its statutory mandate. But for the dedication of Commissioners and a very committed and enthusiastic executive team, few of the organisation's achievements would have been realised.

While continuing to react to an anticipated increase in queries and enquiry requests associated with greater human rights awareness, the Casework staff will henceforth seek to proactively identify and become involved in important or emerging human rights areas. Furthermore, the Awareness staff will be placed under ever-increasing operational and administrative demands as they develop programmes and initiatives relevant to civil and public servants, schools, the business community and the general public. The Legislation and Policy staff are committed to providing early-stage inputs into a greater volume of draft legislation, while simultaneously undertaking further research, policy development and work with various organisations and individuals. The Joint Committee and international functions and obligations are also expected to increase as we continue to develop a Commission which, in the words of An Taoiseach, may be seen as a 'model for others to follow'.

The strategic goals and objectives outlined in this document are intended to ensure that in addition to meeting day-to-day obligations, the Commission becomes increasingly proactive in its work. Nevertheless, the necessity to work proactively while also responding to more routine obligations means that the Commission will remain constrained until such time as organisational capacity is significantly enhanced.



Strategic Goal 6

Supporting Objectives

Key objectives which will be pursued in support of the above goal include the following:

- Develop business case for appointing key senior-level personnel into permanent positions and seek necessary approval for additional positions
- Seek to develop organisational capabilities in other key areas as appropriate
- Identify and agree activities that may be undertaken by personnel on a fixed term or temporary contract basis as appropriate
- Identify and agree particular activities that may be outsourced without adverse consequences for the organisation
- Reduce (as appropriate) reliance on outsourcing as a method of resourcing activities or discharging responsibilities

Performance Indicators

Performance indicators will relate to the development and agreement of costed proposals as well as the number and nature of headcount approvals.

The ongoing evaluation of performance against targets ensures that a focus on strategic priorities remains.

Strategic goals and objectives have been identified and developed to ensure that the work of the Commission is focused and prioritised.

Consistent with current organisational practice, annual business plans (detailing specific targets, actions and key performance indicators) will continue to be developed for each year of the strategic planning period. These provide further detail in respect of the particular tasks and activities that will be undertaken to support the achievement of goals and objectives.

The ongoing evaluation of performance against targets contained in business plans serves to ensure that a focus on strategic priorities is maintained throughout the period of the strategic plan.

Timelines and delivery dates (for the achievement of targets) are also incorporated into key performance indicators. This serves to ensure that momentum is maintained as the Commission pursues agreed objectives. By articulating and clarifying priorities, an appropriate discipline may be observed as a distinction is made between 'important' and 'urgent' priorities.

While often implicit, qualitative measures of organisational performance are also critical in view of their fundamental importance to the work of the Commission.

15 members

The Irish Human Rights Commission has 15 members, appointed by the Government for a period of five years. The first Commission served from July 2001 to June 2006. A new Commission was appointed on 31 August 2006 and its term commenced on 2 October 2006. The current President, Dr Maurice Manning, assumed office on 1 August 2002.

In accordance with the Human Rights Commission Acts 2000 and 2001, not less than seven of the members of the Commission are female and not less than seven are male. A biographical note on the President and 14 Commissioners follows:

Manning, Maurice (President)

An academic by background, Dr Manning previously lectured in politics in University College Dublin and has been visiting professor at the University of Paris (Vincennes) and the University of West Florida. He is a member of the Senate of the National University of Ireland and of the Governing Authority of University College Dublin, and has been a member of the Governing Authority of the European University Institute at Florence.

Dr Manning has written several books on modern Irish politics. He was a member of the Oireachtas for twenty-one years, serving in both the Dáil and the Seanad. He has been a member of the New Ireland Forum and the British Inter-Parliamentary Body. He has served as both Leader of the Seanad and Leader of the Opposition in that House.

Binchy, William

William Binchy was first appointed a Commissioner in 2001 and re-appointed in 2006. Professor Binchy is Regius Professor of Laws at Trinity College Dublin. He has been a special legal adviser on family law reform to the Department of Justice, preparing legislation on family maintenance, protection of the family home and domestic violence. As Research Counsellor to the Law Reform Commission, he advised on reform of law relating to the status of children. He has represented Ireland at the Hague Conference on Private International Law in the areas of marriage and inter-country adoption. He has actively contributed to public discussion of human rights issues, including those relating to Travellers, asylum seekers, divorce and abortion.

Professor Binchy is organiser of a programme on constitutionalism for the Tanzanian judiciary held in Dar es Salaam, is co-organiser of a training programme for the magistracy of Botswana and is organiser of the annual African workshop on constitutionalism for the Chief Justices and senior judiciary of African states, held in Trinity College Dublin, which has been running since 1995. He was a Visiting Fellow at Corpus Christi College Cambridge for the Michaelmas term of 2002 and was a member of the Hederman Committee to Review the Offences Against the State Acts. He is a consultant to Mr Justice Dermot Kinlan, Inspector of Prisons and Places of Detention, and has acted as a consultant to the Irish Department of Justice, Equality and Law Reform on the justice system of Timor-Leste.

Braiden, Olive

Olive Braiden was first appointed a Commissioner in 2001 and re-appointed in 2006. Ms Braiden has worked in the voluntary and community sectors for over 20 years. She was Director of the Rape Crisis Centre for 10 years. She has been involved in campaigns for legislative reforms in areas of women's rights. She commissioned research on the law of rape in the European Union and commissioned the SAVI Report, the first national research on child sexual abuse. She secured State funding to establish training programmes for community workers in the former Yugoslavia and Kosovo.

In August 2003 Ms Braiden was appointed Chair of the Arts Council. She is a board member of the Courts Services and the Judicial Appointments Advisory Board. She is also the Chair of the Crisis Pregnancy Agency. She has served on many Government Working Parties and Steering Committees. In 2006, she was appointed by the Minister for Finance to the Public Service Benchmarking Body and by the Minister for Arts, Sport and Tourism to the London 2012 Olympics Task Force. Over a period of 15 years, she has lived in Spain, France, Belgium, UK, Bahamas and Thailand. She completed an MPhil in Gender Studies in Trinity College Dublin in 2003.

Byrne, Rosemary

Rosemary Byrne was appointed a Commissioner in 2006. Dr Byrne is a Senior Lecturer in international and human rights law at Trinity College Dublin and a Research Fellow at the Institute for International Integration Studies. Throughout her professional career she has engaged in research and advocacy in the areas of migration, refugee and asylum law, and has spoken on human rights in over 15 countries. She has worked with a range of international and Irish non-governmental organisations and conducted human rights training for the Council of Europe and the Helsinki Committee.

Dr Byrne has been a Government of Ireland Research Fellow and a Visiting Fellow at the Human Rights Program, Harvard Law School. Since 2000, she has also worked in the area of post-conflict justice, establishing the International Process and Justice project that monitors the trials underway at the International Criminal Tribunal for Rwanda. She holds a Bachelor of Arts degree in Political Science from Columbia University and a Juris Doctorate from Harvard Law School.

Daly, Robert

Robert Daly was first appointed a Commissioner in 2001 and re-appointed in 2006. Professor Daly is an expert on Post-Traumatic Stress Disorder, on the psychiatric effects of interrogation and torture and on the medical aspects of human rights in general. In the past he represented the Irish Government in the torture case against the UK at the European Commission on Human Rights, was a member of Amnesty International's Medical Advisory Board awarded the European Peace Prize, advised the American Civil Liberties Union, and worked for victims of abuse in Latin American States and the Balkan Wars. He has evaluated programmes of the European Commission and the Council of Europe in many parts of the world. He has also been a trainer for the Committee for the Prevention of Torture and for human rights workers in the Kosovo conflict. He has served as an expert witness in numerous human rights-related cases on both sides of the border and in the UK.

Professor Daly served on the World Psychiatric Association's Committee dealing with allegations of abuse and, when Chair of the Irish Division of the Royal College of Psychiatrists, advised the Minister for Health on changes in Mental Health law. He was formerly Dean of Medicine and head of the Psychiatry Department at University College Cork, Clinical Director in the Southern Health Board and a member of the Medical Research Council.

Egan, Suzanne

Suzanne Egan was first appointed a Commissioner in 2001 and re-appointed in 2006. Ms Egan has been a lecturer in International and European Human Rights Law at the Faculty of Law in University College Dublin since 1992. She is a qualified barrister and holds a Master of Laws Degree from Osgoode Hall Law School in Toronto. Prior to lecturing at UCD, she was the Legal Supervisor of an independent research centre on refugee law and policy in Canada (1989-1991) and a Research Assistant at the Law Reform Commission in Ireland (1991-1992). She is a former member of the Executive Committee of the Irish Refugee Council.

Ms Egan has published widely in the area of human rights, particularly with regard to refugee law and policy and has engaged in human rights training for various non-governmental organisations, the Council of Europe, and members of the legal profession.

Farrell, Michael

Michael Farrell was first appointed a Commissioner in 2001 and re-appointed in 2006. Mr Farrell was prominently involved in the Civil Rights movement in Northern Ireland in the 1960s and 1970s and has campaigned on many civil rights and human rights issues over the past 30 years. He was involved in campaigns for the Birmingham Six and other victims of miscarriages of justice in the 1980s and in the campaign against political censorship under Section 31 of the Broadcasting Act. He was vice-chair and then co-chair of the Irish Council for Civil Liberties for most of the 1990s and was involved in campaigns for gay rights, divorce, equality laws, refugee rights, against racism, and for the incorporation of the European Convention on Human Rights into Irish law.

Mr Farrell has an MSc degree in Politics and was formerly a journalist and author. He is now a solicitor working for Free Legal Advice Centres Ltd (FLAC) and is Vice-Chairperson of the Law Society's Human Rights Committee. He has taken cases to the European Court of Human Rights and other international bodies. Born and brought up in Co. Derry, he lived for 20 years in Belfast before moving to Dublin where he now lives.

Leahy, Alice

Alice Leahy was appointed a Commissioner in 2006. Ms Leahy is Director of TRUST, which she co-founded in 1975. TRUST is an organisation based in Dublin that offers health and related services to people who are homeless. She is a former Chair of the Sentence Review Group.

Ms Leahy is also a writer, commentator, broadcaster and lecturer, promoting understanding of the needs of the outsider in our society and seeking practical ways to help combat social exclusion. She lectures widely and has directly contributed to public policy as a member of various policy bodies such as the Lord Mayor's Commission on Crime chaired by Justice Michael Moriarty; the Working Party set up by the Minister for Health to look at the care of the disturbed mentally ill; and the National Crime Forum. Her most recent book, *With Trust in Place – Writing from the Outside*, on the theme of the outsider, was published by Townhouse Publications in 2003. In recognition of the work of TRUST, she has received a number of awards including an honorary doctorate from UCD and Tipperary Person of the Year Award for 2004.

O'Hegarty, Lia

Lia O'Hegarty was appointed a Commissioner in 2006. Ms O'Hegarty is a graduate of UCC (BCL), the University of Michigan (LLM) and Harvard University (LLM). She was called to the Bar in 1996. She worked as a researcher in the Law Reform Commission for a number of years. She also lectured on an occasional basis at Trinity College Dublin and University College Cork.

In 2000 Ms O'Hegarty was appointed Parliamentary Legal Adviser to the Houses of the Oireachtas. Latterly she has set up her own consultancy in legislation and public affairs. In 2007 she was appointed to the Criminal Law Codification Advisory Committee, established pursuant to the Criminal Justice Act 2006.

O'Higgins, Tom

Tom O'Higgins was first appointed a Commissioner in 2001 and re-appointed in 2006. Mr O'Higgins is a chartered accountant and is a graduate in Economics and History from University College Dublin and in Human Resource Management from Sheffield Business School. He is a former president of the Institute of Chartered Accountants, a member of the Institute of Personnel and Development and a member of the Institute of Taxation.

Mr O'Higgins was a partner at PricewaterhouseCoopers from 1969 to 2000 where he was a senior audit partner and Head of Human Resources. He continues to assist organisations in recruitment and human resource issues and serves as a member of selection boards for the Public Appointments Commission and other bodies. He is Chair of the Coombe Women's Hospital, and is recent Chair and a member of the Board of Concern Worldwide. He is a director of the Holocaust Educational Trust of Ireland and of a number of private companies. A specialist in corporate governance, he is Chair and a member of the audit committees of a number of state and semi-state bodies. He is also a member of the Praesta Partners Ireland, an executive coaching and mentoring organisation.

O'Neill, Helen

Helen O'Neill was appointed a Commissioner in 2006. Professor O'Neill is Professor Emeritus in the Centre for Development Studies in UCD where she was its founding-Director. She obtained her BComm degree at UCD and her Masters and PhD degrees in Economics at McGill University, Montreal, Canada. She was President of the European Association of Development Research and Training Institutes from 1993 to 1999, President of the Association of Canadian Studies in Ireland from 2000 to 2002, and has chaired the Irish government's Advisory Committee on Development Cooperation and the Irish Commission for Justice and Peace.

Professor O'Neill is a member of a number of international committees including the policy committee on developing countries of the International Council of Science (ICSU). She has been a visiting professor in a number of institutions including the University of Zambia, the World Bank Institute, and Corvinus University, Budapest. She has carried out assignments for international organisations (including the World Bank and UNIDO) in over a dozen African countries and the trans-Caucasus region. She has acted as expert to the Economic and Social Committee in Brussels on a wide range of issues in international relations and regional development and has acted as a consultant to DG Development and to Irish Aid. She has published widely on topics in development and international relations and given guest lectures in universities in all five continents of the world. She was honoured in 2006 with a festschrift (for *Trade, Aid and Development*, published by UCD Press).

Quinn, Gerard

Gerard Quinn was first appointed a Commissioner in 2001 and re-appointed in 2006. Professor Quinn is a professor of law at NUI, Galway. Called to the Irish Bar in 1983, he holds a Harvard Doctorate in Juridical Science (SJD). He is a former Director of Research at the Law Reform Commission and led the legal research team of the Commission on the Status of Persons with Disabilities. He has worked with the European Commission on general human rights issues as well as on the preparation of EU policy instruments in the field of disability rights. He was Director of an EU Network of Disability Discrimination Lawyers and now co-directs a larger EU Network on Discrimination law across all grounds (age, race, disability, etc.).

Professor Quinn is a former First Vice-President of the European Committee of Social Rights (Council of Europe). He is a member of the research advisory boards of Land Mine Survivors Network (Washington DC) and Soros Foundation EU Monitoring Programme on Accession Countries on Disability (Budapest). He was a member of the United Nations Working Group convened to draft a treaty on the rights of persons with disabilities. He has published widely on economic, social and cultural rights, on the rights of persons with disabilities and on the EU and human rights.

Sweetman, Roger

Roger Sweetman was appointed a Commissioner in 2006. Until 1981, Mr Sweetman was a solicitor who practised (and later became Partner) in Herman, Good & Co. He then enrolled in the Kings' Inns. From 1979 to 1989 he was a tutor/consultant in Advocacy and Criminal Law to the Law School of the Incorporated Law Society. In 1983 he was conferred with the degree of Barrister-at-Law and was called to the Bar. For the next 19 years, he practised at the Bar both in Dublin and on the Eastern Circuit. Having been appointed to the Director of Public Prosecution's Dublin Prosecution Panel, his practice thereafter was mostly involved in crime, both prosecution and defence.

In 2002 Mr Sweetman was admitted to the Inner Bar, where he has acted as leading Counsel, principally for the defence, in serious criminal cases. He has also been involved in the areas of habeas corpus and judicial review. As a criminal law practitioner, he has been involved in enunciating and vindicating the human rights of accused persons in a range of areas.

Taylor, Mervyn

Mervyn Taylor was first appointed a Commissioner in 2001 and re-appointed in 2006. Mr Taylor is a former Minister for Equality and Law Reform and was a Dáil Deputy for over 16 years. He served as Assistant Government Chief Whip from 1982 to 1987. While in opposition he held various spokesperson positions including Education, Justice, Finance and Public Service, Industry and Commerce, and Employment Equality and Law Reform.

Mr Taylor is a practising solicitor for 40 years, apart from the period in which he held Ministerial Office. He is a former member of the European Monitoring Committee on Racism and Xenophobia.

Zappone, Katherine

Katherine Zappone was first appointed a Commissioner in 2001 and re-appointed in 2006. Dr Zappone is a philosopher, educator and independent public policy research consultant. As former Chief Executive of the National Women's Council in Ireland, she participated in a number of committees and working groups at national, European and international level to advocate women's social and economic rights and gender equality. She is a former member of the National Economic and Social Council of Ireland and has conducted a number of national research projects in public policy and gender equality, and equality in children's education. She is co-founder and Chair of An Cosán, a large community-based organisation in West Tallaght, Dublin, committed to eradicating poverty through education.

Dr Zappone lectured for a decade in Trinity College Dublin on ethics and human rights, and has lectured in Canada, Australia, Europe, the USA and throughout Ireland. Widely published in feminism, ethics, equality issues and education, she conducts research, consults and teaches. Her work includes: *Charting the Equality Agenda: A Coherent Framework for Equality Strategies in Ireland North and South* (2001) and *Re-Thinking Identity: The Challenge of Diversity* (2003). She holds a PhD in Education and Religion from Boston College.

Section 8
of the
Human
Rights
Commission
Act 2000

Functions of the Commission

The functions of the Commission shall be—

- (a) to keep under review the adequacy and effectiveness of law and practice in the State relating to the protection of human rights,
- (b) if requested by a Minister of the Government, to examine any legislative proposal and report its views on any implications of such proposal for human rights,
- (c) to consult with such national or international bodies or agencies having a knowledge or expertise in the field of human rights as it sees fit,
- (d) either of its own volition or on being requested to do so by the Government, to make such recommendations to the Government as it deems appropriate in relation to the measures which the Commission considers should be taken to strengthen, protect and uphold human rights in the State,
- (e) to promote understanding and awareness of the importance of human rights in the State and, for those purposes, to undertake, sponsor or commission, or provide financial or other assistance for, research and educational activities,
- (f) to conduct enquiries under and in accordance with section 9⁴,
- (g) to prepare and publish, in such manner as it thinks fit, reports on any research undertaken, sponsored, commissioned or assisted by it under *paragraph (e)* or in relation to enquiries referred to in *paragraph (f)*,
- (h) to apply to the High Court or the Supreme Court for liberty to appear before the High Court or the Supreme Court, as the case may be, as *amicus curiae* in proceedings before that court that involve or are concerned with the human rights of any person and to appear as such an *amicus curiae* on foot of such liberty being granted (which liberty each of the said courts is hereby empowered to grant in its absolute discretion),
- (i) to take whatever action is necessary to establish and participate in the joint committee of representatives referred to in paragraph 10 of the section entitled “Rights, Safe-guards and Equality of Opportunity” of the Agreement Reached in the Multi-Party Talks,
- (j) to provide assistance of the kind referred to in section 10⁵ to persons under and in accordance with that section,
- (k) to institute proceedings under and in accordance with section 11⁶.

4 Section 9 of the Human Rights Commission Act 2000 – Enquiries by the Commission

The Commission has the power to conduct an enquiry into a human rights matter of its own volition or at the request of any person.

5 Section 10 of the Human Rights Commission Act 2000 – Legal and other assistance

The Commission has the power to consider applications for assistance in connection with legal proceedings involving human rights law and practice.

6 Section 11 of the Human Rights Commission Act 2000 – Institution of Legal Proceedings

The Commission has the power to institute legal proceedings to vindicate the human rights of persons in the State.

See the Irish Human Rights Commission's website www.ihrc.ie for further details



Commission Staff

Irish Human Rights Commission: Staff Reporting Structure

Senior Caseworker
Des Hogan

Assistant Caseworker
Gerry Finn

Senior Legislation &
Policy Review Officer
Liam Herrick

Assistant Legislation &
Policy Review Officer
**Catherine-Ellen
O’Keeffe**

Chief Executive

Senior Human Rights
Awareness Officer
Fidelma Joyce

Clerical Officer
Trish Murphy

General Administrator
Clair Wallace

Clerical Officer
Aideen Damery

Administrator (Finance
& Human Resources)
David Carolan

Desk Officer
Emilie Baillie

IHRC

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