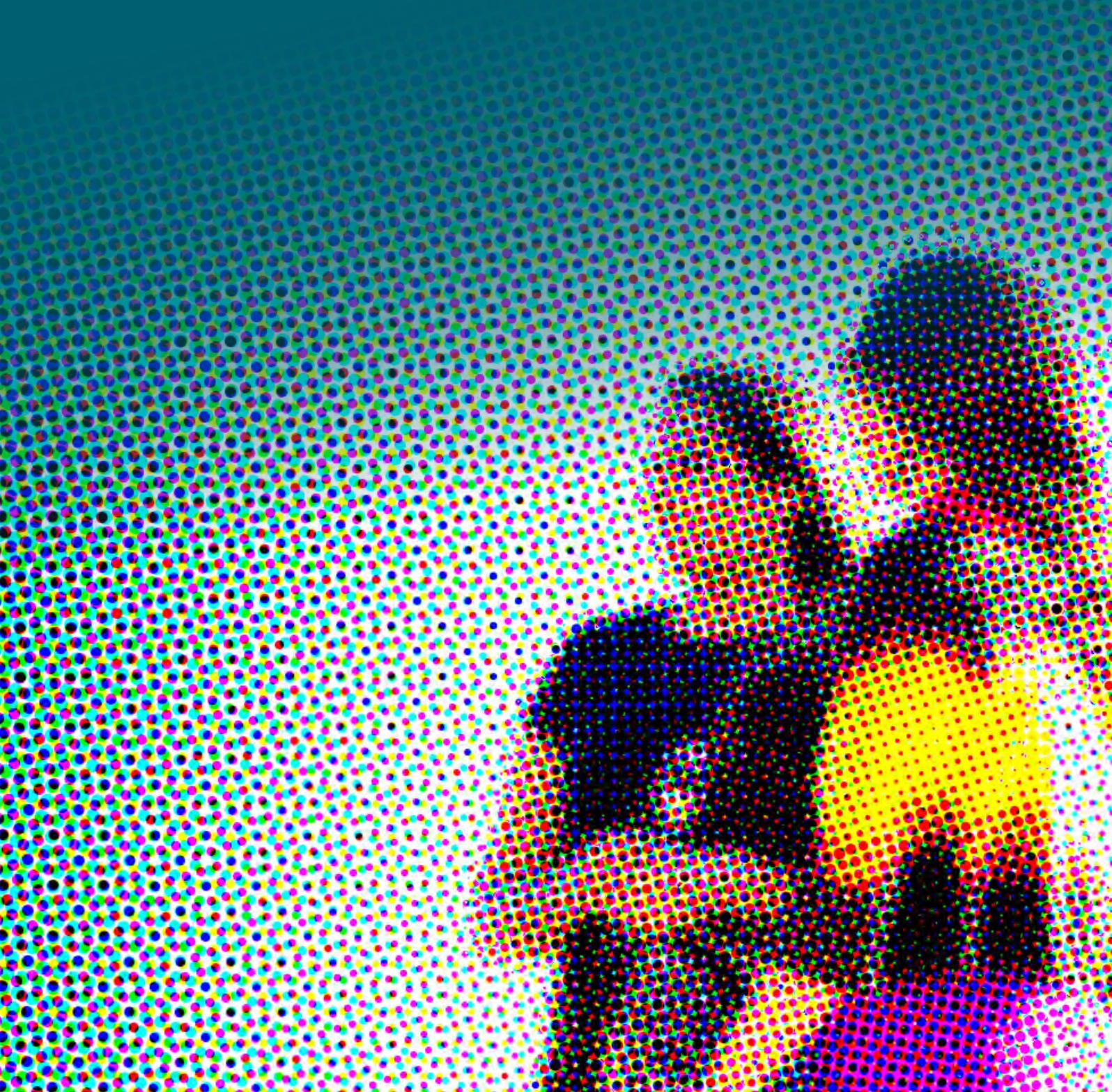




Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

Annual Report 2022



Published by the Irish Human Rights and Equality Commission.

Copyright © Irish Human Rights and Equality Commission 2023

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.

ISBN: 978-1-913492-15-1

Contents

Report to the Houses of the Oireachtas	5
Message from the Commission	6
Who we are	9
Commission Members in 2022	11
Report of activity	12
Introduction	13
Equipping individuals to better vindicate their rights	14
Your Rights Information Service	15
Who is contacting the Your Rights Information Service?	17
Providing legal assistance to individuals	18
Strengthening legislation and addressing gaps	42
Preparing codes of practice	43
Equality Reviews and Equality Action Plans	45
Legislative observations	46
Legislative reform	49
Monitoring, reporting and enforcement	50
Human rights and equality treaty monitoring	51
Engagement in international networks	53
ENNHRI	54
Equinet	55
GANHRI	56
European engagement	56
Four jurisdictions	58
Dedicated mechanisms	58
Public Sector Equality and Human Rights Duty	59
Developing policies and programmes	64
Policy statements and submissions	65
Research	67
Data	69

Engagement and communication	70
Using our public space to support civil society	71
Grant Scheme to support civil society and rights holders	74
Public awareness	75
In the media	76
Enhancing the standards of anti-trafficking response in Ireland	78
Review of the EU Anti-Trafficking Directive	81
Fourth Progress Report on the Fight against Trafficking in Human Beings in the European Union	81
New National Referral Mechanism for identification and assistance of victims of trafficking	82
Engagement with stakeholders	83
Corporate governance and structure	85
Commission	86
Committees	88
Advisory Committees	89
Governance	91
Overview of energy use	95
Report under section 42 of the Irish Human Rights and Equality Commission Act 2014	96
Appendices	100
Appendix 1: Commission Member Profiles	101
Appendix 2: Attendance at Commission meetings	106
Appendix 3: Attendance at Committees	107
Appendix 4: Commission staff	111
Appendix 5: Additional financial disclosures	112
Appendix 6: Publications	115
Appendix 7: Grants	117
Appendix 8: Your Rights data	132

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 2022.



Sinéad Gibney

Chief Commissioner

Message from the Commission

As we emerged from the global Covid-19 pandemic, we faced into another crisis in 2022 when Russia illegally invaded Ukraine and initiated the biggest conflict in Europe in seven decades. The subsequent triggering of the EU Temporary Protection Directive, and refugee movement across our continent, was a challenge for all countries in Europe and Ireland was no exception. Coupled with an increase in international protection applications, how Ireland welcomes, processes and integrates those seeking refuge here remained a high priority for us throughout the year.

Despite our warnings, and those of many civil society actors, the emergence of a two tier system played out in front of our eyes – with Ukraine refugees experiencing a markedly different set of conditions to those in the wider international protection system. And despite a mostly positive response to people seeking refuge here for both groups, this disparity in conditions helped to sow the seeds for a backlash in some communities, exploited by a small group within our population who seek to foster fear and hatred. The rise of the far-right voice in Ireland was a worrying trend and one that we must deal with before it takes hold in the same way it has in other European countries.

The housing crisis persisted and even deepened throughout this year and rising inflation and cost of living put pressure on large sections of Irish society to simply make ends meet. Our work to better recognise and realise socio-economic rights continues in recognition of this deepening economic and housing inequality.

Our work with our Northern Ireland colleagues continued, through the Article 2 Dedicated Mechanism Working Group, with important developments in scoping and mapping the impact of Brexit on rights and equality across the island, and on the divergence of such rights in areas such as health and through the lens of the legal framework that will be used to monitor it.

We entered a new strategy cycle this year, choosing to prioritise economic equality, justice, respect and recognition, future proofing and Public Sector Duty. This report captures the activities of the organisation in 2022 in these priority areas, and here are some highlights:

- ▶ This year, as we sought to **equip individuals to better vindicate their rights**, the majority of queries to our *Your Rights Information Service* related to disability, race, gender and age. We acted as third party intervener in a case before the European Court of Human Rights in Strasbourg and continued to build our body of work in the courts through the use of our *Amicus Curiae* function.

- ▶ To **strengthen legislation and address gaps**, we introduced two new Codes of Practice in the areas of equal pay and harassment at work. Our engagement on relevant legislation through submissions and Oireachtas appearances covered a wide variety of topics, including assisted decision making, institutional burials, gender equality, facial recognition and policing. We also assisted our European network body Equinet in its work to drive the EU Directive on Standards for Equality Bodies.
- ▶ In our **monitoring, reporting and enforcement** work, we submitted reports to international bodies on the Convention on the Elimination of All Forms of Racial Discrimination, the European Social Charter, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, visiting Geneva and working with civil society to coordinate national efforts. We launched a Public Sector Duty eLearning Module and hosted a Public Sector Duty briefing day for elected representatives at the start of the Dáil term. We brought out research on discrimination under the housing ground and saw the launch of a ground-breaking IHREC/Irish Research Council co-funded piece of research on Irish Travellers Access to Justice.
- ▶ To **develop policies and programmes**, we set out policy statements on a range of socio-economic related topics and constitutional change, we contributed to the update of the SPHE curriculum and contributed to the review of the non-jury Special Criminal Court. Our annual poll results threw up interesting results on the cost of living crisis and direct provision, and we maintained our focus on the importance of equality data.
- ▶ In **engagement and communication**, we ran a very successful conference entitled Achieving Equality At Work: Care Policy and Practice Conference, which then informed our more recent awareness campaign on care. Our grants scheme saw the realisation of a range of projects in the areas of advancing social and economic rights and equality, combatting racism and racial discrimination and progressing the rights of people with disabilities.
- ▶ To **enhance the standards of anti-trafficking response in Ireland**, we published our first annual report as Rapporteur, evaluating Ireland on the EU directive, and setting out recommendations on gender-specific accommodation and the need for a response that takes account of the gendered and racialized nature of this issue. We were commended for how we involved civil society in our work and Ireland was moved from the Tier 2 watch list.

- ▶ Within our own **corporate governance and structures**, we introduced new Disability Advisory Committee members and established an advisory committee, Future of Equality Legislation Advisory Committee, to examine the future of equality legislation in Ireland. The work of this group will feed into the government’s ongoing review of the equality acts.
- ▶ And in implementing our own **public sector duty**, we improved accessibility on our website and information and increased engagement with civil society and rights-holder organisations.

2022 was a year of change for IHREC, as we said goodbye to our Director and long-time colleague, Laurence Bond. Laurence had a long public service career in which he sought to advance equality and promote and protect the rights of some of the most marginalised and disadvantaged groups in Irish society. He worked in important social justice organisations such as Combat Poverty, the Irish Organisation for the Unemployed, the Equality Authority and finally IHREC. Laurence was an important leader for this organisation and an important driver of equality in Ireland over the last number of decades. We wish him well in his retirement.

We were also very lucky to welcome into an Acting Director role, Éimear Fisher, a long-serving retired civil servant with deep experience and networks that helped us bridge the period between Directors. The Commission would like to thank both Laurence and Éimear for their contribution to IHREC and their commitment to building a just and inclusive Ireland.

The IHREC team grew to 85 and it was wonderful to move to in-person meetings and events, connecting our staff, commission and external stakeholders in new ways since we moved to remote working throughout the pandemic. The staff of IHREC deserve huge recognition for their tireless efforts to create a more just and inclusive Ireland, and the Commission is extremely grateful for that ongoing commitment and dedication.



Sinéad Gibney

Chief Commissioner



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 Irish Human Rights and Equality Commission Act 2014 (the 'IHREC Act'). We are Ireland's independent National Human Rights Institution ('NHRI') and National Equality Body. Since 2020 we are also Ireland's Independent National Rapporteur on the Trafficking of Human Beings.

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 2022



Sinéad Gibney
Chief Commissioner



Adam Harris



Professor Caroline Fennell



Colm O'Dwyer SC



Dr Frank Conaty



Heydi Foster-Breslin



Jim Clarken



Professor Kathleen Lynch



Dr Lucy Michael



Michael Finucane



Professor Ray Murphy



Dr Rosaleen McDonagh



Dr Salome Mbugua



Sunniva McDonagh SC



Tony Geoghegan

Report of activity

Introduction

This Annual Report covers the first year of our Strategy Statement 2022- 2024. It sets out our activities during 2022 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. Engagement and communication
6. Enhancing the standards of anti-trafficking response in Ireland

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

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

**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 **1,441** unique queries from members of the public, by phone, email and letter.

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.



1,441

queries about human rights and equality law were handled by 'Your Rights' in 2022

398

related to the Equal Status Acts

42%

Disability Ground

16%

Race Ground

8%

Gender Ground

8%

Age Ground

233

related to the Employment Equality Acts

39%

Disability Ground

16%

Gender Ground

12%

Race Ground

12%

Age Ground

425

related to human rights law

22%

Asylum and Immigration

16%

Homelessness, social housing and living conditions

12%

Health and Bodily Integrity

11%

Right to work/ Decent work

29

related to the Intoxicating Liquor Act 2003

31%

Age Ground

17%

Disability Ground

11%

Traveller Ground

9%

Race Ground

8

related to discriminatory advertising

No complaints were taken before the WRC.

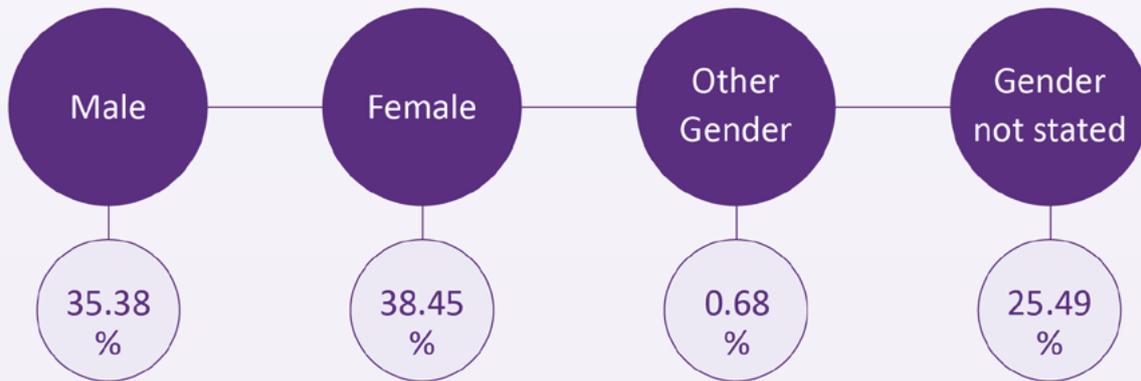
We have the power to bring discrimination complaints/cases in our own name before the Workplace Relations Commission ('WRC') where it appears that discrimination under the Employment Equality Acts or Equal Status Acts has occurred and it is not reasonable to expect the person who has been the subject of that discrimination to bring a case (section 85 EEA and section 23 EEA).

348

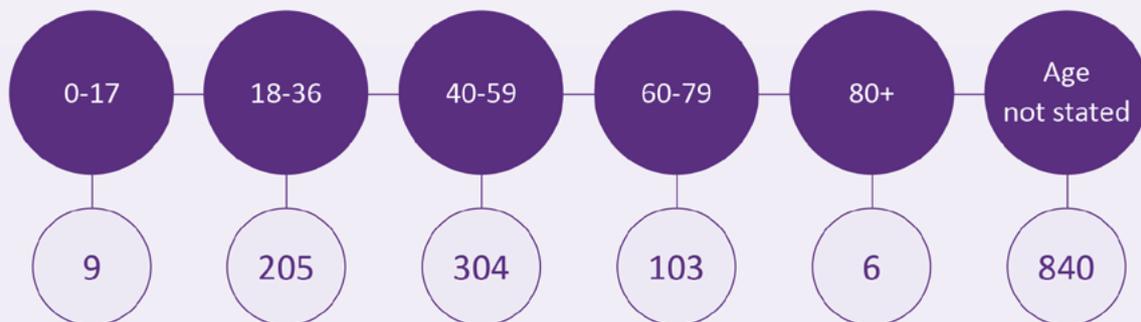
were beyond our remit and where appropriate, saw referrals to other information resources or services, including for example the Workplace Relations Commission, Ombudsmans' offices, regulatory bodies such as the Data Protection Commission and Consumer Protection Commission, or to the Legal Aid Board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

Who is contacting the Your Rights Information Service?

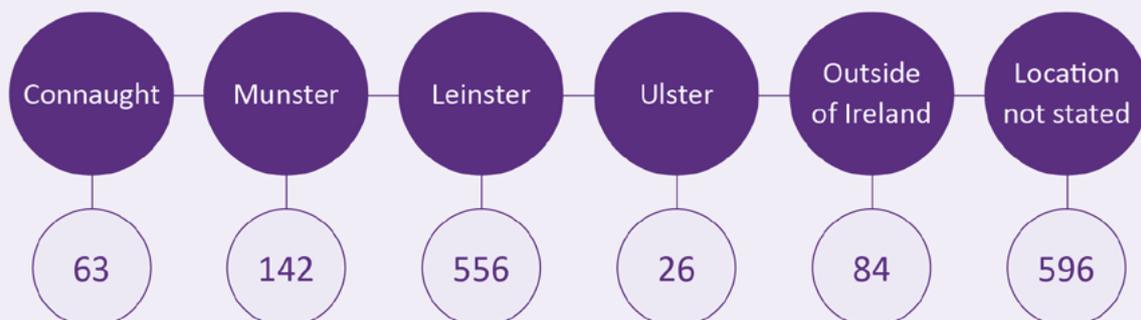
Gender



Age



Location



Providing legal assistance to individuals

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

At the beginning of the year, we had 167 individual clients who had been granted legal assistance and whose cases were ongoing. Of these, 34 had been approved for legal advice only and 133 had been approved for legal advice and representation. A further 41 applicants from 2021 were awaiting a decision on their application for assistance.

Applications for legal assistance

In addition to the 41 applications carried from 2021, a further 106 new individual applications for legal assistance were received during the year.

This year:

- ▶ 60 applications were approved, of which;
 - ▶ 45 approvals were for legal advice only; and
 - ▶ 15 approvals were for legal advice and representation;
- ▶ 45 applications were refused;
- ▶ 32 were withdrawn or discontinued; and
- ▶ 10 were awaiting a decision at year end.

We completed work on 18 individual client files, including some that had been opened in previous years. Three of these clients were granted legal advice only, while 31 individual clients were provided with legal advice and representation. Details of these completed matters are set out in the following tables.

Legal advice assistance completed

During the year, three separate clients/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 Equal Status Acts 2000 – 2018:
Disability	1	We provided legal advice to the client who has a history of mental health issues and sought independent living. Following our advice, they gained access to independent accommodation.
Disability	1	We provided legal advice to the client who is deaf and experienced less favourable treatment when trying to communicate with a transport service provider.
Disability	1	We provided legal advice to the client who was placed in a series of inappropriate residential care settings unsuitable to their needs. Following our advice, the client is now living independently.

Legal representation assistance completed

During the year, 15 cases (involving 31 individual clients who were granted legal advice and representation) across the following areas were decided:

Cases under the Equal Status Acts 2000 – 2018

Case	Three Clients v A Care Facility
Ground	Disability
No. of Clients	3
Issue	<p>We granted legal advice and representation to three separate clients whose disabilities significantly limit their mobility and their ability to administer their medication without support.</p> <p>The clients were all hosted by the same service provider who introduced an Administration of Medication Policy, which required that all medicines (whether prescribed or over the counter) are approved/prescribed by a GP, and that all medicine is recorded on an internal prescription sheet before any support with administration is provided. This policy only applied to those who required assistance with the administration of medicines and did not apply to other service users who did not require administration support.</p> <p>We assisted the clients in bringing three separate complaints to the WRC under the ESA alleging discrimination on the ground of disability.</p>

Outcome	<p>With the benefit of our legal assistance, the matter settled favourably to the satisfaction of all parties.</p> <p>However, issues subsequently arose regarding the administration of medication.</p> <p>The clients have been granted a further grant of legal assistance to help them resolve the situation.</p>
----------------	---

Case	A Hospital Service User v A Hospital
-------------	---

Ground	Disability
---------------	-------------------

No. of Clients	1
-----------------------	---

Issue	<p>We granted legal assistance in the form of legal representation to this client, who alleged that he experienced discrimination and harassment by a hospital because of his disability.</p> <p>When the client attended at the hospital, for routine day surgery, he was left to the end of the surgery list because he is HIV positive.</p> <p>We assisted the client in submitting a complaint to the WRC under the ESA alleging discrimination on the ground of disability.</p>
--------------	--

Outcome	With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client, who then withdrew the complaint to the WRC.
----------------	--

Case	A Mother v The Department of Education
-------------	---

Ground	Disability
---------------	-------------------

No. of Clients	1
-----------------------	---

Issue	<p>We granted legal assistance in the form of legal advice and provided practical assistance to this client who is the mother of two young boys with complex needs.</p> <p>The client applied for the Home-Based Summer Programme on behalf of her two sons. Under the then terms of the Programme, siblings with complex needs in the same household are generally taught together and are entitled to less hours overall than children without siblings with complex needs, subject to a few limited exceptions.</p> <p>We wrote to the Department of Education, enclosing expert evidence and contending that by not taking account of the different special educational needs of siblings in mainstream education, the terms of the Programme potentially amounted to discrimination on the ground of disability, contrary to section 5 of the ESA and the constitutional guarantee of equality before the law.</p>
--------------	---

Outcome	With the benefit our legal assistance, the client applied to the Programme and the Department of Education granted separate allocations to both children.
----------------	---

Case	An applicant for International Protection v The International Protection Accommodation Services ('IPAS')
Ground	Disability
No. of Clients	1
Issue	<p>We granted legal advice and limited representation was provided to this client who was an applicant for international protection and who has a physical disability.</p> <p>The client has a serious physical disability and requires significant support. Prior to engaging with us, the client and an advocate had written to IPAS several times requesting that his family member (also an applicant for international protection) be moved to be accommodated with him, so he could help him with his day-to-day needs.</p>
Outcome	With the benefit of our legal assistance, following an exchange of communication with IPAS, where we made reference to client's particular needs as a person with a disability and the principle of family unity, the family members were accommodated together and the matter resolved favourably.

Case	A Service User v An Airline
Ground	Disability
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal advice and provided representation to this client who, due to a disability, required a ventilator during air travel.</p> <p>The client claimed that the airline failed to provide him with reasonable accommodation, contrary to the ESA, by refusing carriage of a ventilator in the manner required by the client.</p> <p>We assisted the client in submitting a complaint to the WRC under the ESA alleging discrimination on the ground of disability.</p>
Outcome	With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client with the airline agreeing to facilitate the carriage of the client's ventilator and to pay compensation. The airline also agreed to provide updated equality training for staff and to include an equal status / reasonable accommodation statement on its website.

Cases under the Employment Equality Acts 1998 – 2015

Case	An Academic Researcher v A Third Level Institute and An International Corporation
Ground	Race
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal representation to this client who was an academic researcher at a third level institution.</p> <p>The client secured a placement with an international company which was designed to give him industry experience. However, the company informed the client that his access to their premises would be restricted as, due to an international sanctions regime in place in the company’s country of origin, the company was not allowed to do business with anyone of the client’s nationality.</p> <p>We assisted the client in submitting a complaint to the WRC under the EEA alleging that both the third level institution and the company discriminated against him on the ground of race.</p>
Outcome	With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client.

Case	An Employee v An Employer
Ground	Gender and Family Status
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal representation to this client who was on maternity leave for a portion of the calendar year in 2020.</p> <p>The client received a bonus payment from her employer in 2020, but it did not cover the part of the year when she was on maternity leave.</p> <p>We assisted the client in submitting a complaint to the WRC alleging that the employer had discriminated against her under the EEA by refusing to pay her a bonus payment that included the period she was on maternity leave.</p>
Outcome	<p>With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client, who received the remainder of the bonus for the maternity leave, in addition to compensation from her employer.</p> <p>The employer also agreed to publish and circulate an updated bonus policy.</p>

Case	An Employee v Irish Prison Service
Ground	Race
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal representation to this client who was a prison officer employed by the Irish Prison Service.</p> <p>The client was subject to regular and continuous racial abuse by prisoners. The client made numerous reports to his superiors in accordance with the Prison Rules, before filing proceedings with the WRC, where we provided representation. The client submitted that the actions of the Irish Prison Service amounted to direct discrimination, indirect discrimination, harassment, and/or victimisation on the ground of race. At the hearing, the employer accepted that the client was subject to racial abuse amounting to harassment under the EEA. However, the employer sought to rely on the defence under section 14A of the EEA, namely that, as an employer, they had taken such steps as were reasonably practicable to prevent the harassment. The WRC found in favour of the respondent employer in dismissing all claims.</p>
Outcome	<p>The client appealed the decision to the Labour Court, where we granted them further representation. The court dismissed the appeal and upheld the WRC's finding that section 14A of the EEA cannot be interpreted as providing "a one size fits all approach" for employers' obligations and that the prison environment is unique. It also directed the Prison Service to "conduct a thorough review of its anti-racism strategy and policies having regard to examples of international best practice."</p>



All the team at IHREC that looked after my case showed the greatest level of professionalism, empathy and support to me during the two years that my case was active... I am extremely grateful for all that the team at IHREC have done for me. Thank you!



Case	A Candidate v A Railway Company
Ground	Disability
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal representation to this client who applied for the position of train driver with the railway company.</p> <p>As part of the application process, the client disclosed that he had suffered anxiety in the past and managed the condition with medication. He was later informed that he had not passed the medical, as he could not be considered suitable for safety critical roles due to generalised anxiety.</p> <p>We assisted the client in submitting a complaint to the WRC under the EEA alleging that the company had a blanket ban on recruiting candidates with anxiety and had discriminated against him on the ground of disability.</p>
Outcome	The WRC determined that there was insufficient evidence to support the assertion that there was a blanket ban on recruiting candidates with anxiety. The WRC also accepted the company's position that it was not possible to introduce an accommodation for the role of locomotive driver that would be proportionate and reasonable.

Case	A Group of Female Employees v An Employer
Ground	Gender
No. of Clients	6
Issue	<p>We granted legal assistance in the form of legal representation to a group of women to progress a complaint against a former employer under the EEA.</p> <p>The clients claimed that their former employer had engaged in unequal/unfair work practices in relation to remuneration/equal pay.</p> <p>We assisted the clients in submitting separate complaints to the WRC under the EEA alleging discrimination on the ground of gender.</p>
Outcome	With the benefit of our legal assistance, the women settled their claims on satisfactory terms.



I also wanted to take the opportunity to say thank you so much to you, the team... You were a pleasure to work with.



Case	An Employee v An Employer
Ground	Disability
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal representation to this client whose disabilities required reasonable accommodations from his employer.</p> <p>The client claimed that, following his diagnosis of Multiple Sclerosis, he was subject to a continuum of discrimination over the course of his employment.</p> <p>We assisted the client in submitting a complaint to the WRC under the EEA alleging discrimination on the ground of disability by failing to provide him with reasonable accommodation, and with linked complaints of harassment and victimisation.</p>
Outcome	With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client.
Case	A Job Applicant v An Employer
Ground	Gender
No. of Clients	1
Issue	<p>We granted legal assistance in the form of legal representation to this client to progress complaints of discrimination on the ground of gender, and victimisation under the EEA.</p> <p>The client applied for the role of Assistant to the General Secretary in the Garda Representative Association and was informed that, despite meeting the qualification targets, her application was unsuccessful. She then initiated a complaint of gender discrimination before the WRC.</p> <p>When the role was advertised again, the client applied again and was once again unsuccessful. During the process however, she was subjected to victimisation as a consequence of lodging the first claim of discrimination with the WRC.</p> <p>We assisted the client in advancing both complaints to the WRC under the EEA alleging discrimination on the grounds of gender and victimisation.</p>
Outcome	The WRC determined that the client met the criteria for the role and had been subjected to victimisation. It ordered that the client be appointed to the role within 6 weeks.

Cases relating to human rights

Case	A Family v A Local Authority
Ground	Housing / Race
No. of Clients	8
Issue	<p>We granted legal assistance in the form of legal representation to a family who originally arrived in Ireland as programme refugees in 2006.</p> <p>The family originally lived in the west of Ireland and were placed on a housing list. However, the family were subjected to a campaign of harassment and intimidation. They sought relocation from the local authority who advised them to voluntarily withdraw their applications for housing in order to apply to a housing list elsewhere.</p> <p>When they sought assistance from a separate local authority, they were initially provided with emergency accommodation, but were subsequently made homeless and slept in their car for a number of months.</p> <p>With our assistance the family commenced High Court plenary proceedings against the local authority alleging that it had failed, under the Housing Acts, to act in a manner which vindicated the family's rights in circumstances where they were fleeing racism.</p>
Outcome	With the benefit of our legal assistance, a settlement was agreed and ruled on by the High Court in respect of the minor plaintiffs. The family received a payment of compensation which reflected the significant impact of the events on the children.



Thank you so much for your help. I am really happy now. I was depressed and alone, and now things have improved for me. I hope I will be able to build a future for myself and my family here in Ireland.



I can not thank you enough for the work you have done on my behalf.



Case	A Client v The Department of Justice
Ground	Human Rights / Race
No. of Clients	1
Issue	<p>We granted legal assistance and representation to this client who is a US national and a person with a disability.</p> <p>The client had sought a variation of her Stamp 1 immigration permission in 2022 to allow her to be self-employed in the State. The Stamp 1 permission only permitted her to engage in employment as an employee, and not as a self-employed person. The client was erroneously refused the variation in June 2022 on the basis that it was not possible for a non-Irish national to be self-employed on Stamp 1 permission and a Stamp 4 was the only permission that allowed for this. On the client's behalf, we challenged the decision of the Department of Justice to refuse the variation.</p>
Outcome	<p>With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client.</p> <p>An extension of legal assistance was subsequently granted so that we could advise and assist the client with submission of a fresh variation application to be reconsidered by the Department of Justice and that application was being prepared at the end of December 2022 for submission in early 2023.</p>
Case	A Client v The Minister for Social Protection
Ground	Human Rights – refusal of State Pension (Non-contributory) on basis of immigration permission
No. of Clients	1
Issue	<p>We granted legal assistance and representation to this client, a non-EU/EEA national, who was granted permission to remain in Ireland.</p> <p>The client applied for the Non-Contributory State Pension, which was refused, on the basis that it was a condition of her permission to remain that she would “not become a burden on the State.” The decision was appealed to the Social Welfare Appeals Office, which upheld the decision to refuse the application.</p> <p>We assisted the client in bringing a statutory appeal of the decision before the High Court on the basis that the Social Welfare Appeals Office erred in law and acted beyond the remit of the Social Welfare Consolidation Act 2005.</p>

Outcome With the benefit of our legal assistance, the matter settled favourably to the satisfaction of the client. The settlement in this matter was ruled on by the Master of the High Court.

The client's application for the Non-Contributory State Pension was subsequently reconsidered and she is now in receipt of the payment.

Case **A Ukrainian National v The Department of Justice.**

Ground **Temporary Protection**

Race

Ukrainian national of Roma ethnicity refused Temporary Protection

No. of Clients 1

Issue We granted legal assistance in the form of legal representation to a Ukrainian national of Roma ethnicity in relation to his application for Temporary Protection in Ireland under section 60 of the International Protection Act 2015.

The client fled the war in Ukraine accompanied by his wife and two minor children, the three of whom had previously obtained Temporary Protection in Ireland. Despite this, the client's application for Temporary Protection was initially refused on arrival at the Temporary Protection Centre. We wrote to the Department of Justice and the client was invited to submit a new application.

Outcome With our assistance, the client submitted a new application for Temporary Protection, together with new evidence in support of his application. The client, accompanied by one of our solicitors, subsequently attended the Temporary Protection centre and was granted Temporary Protection by the State. As part of this case, the Department of Justice recognised that a refusal decision should be in writing and provide a reason for the refusal of Temporary Protection.



This case gave me back a sense of respect that I felt had been taken away from me.



Case	A Ukrainian Roma Family v The Department of Justice
Ground	Ukrainian nationals of Roma ethnicity refused Temporary Protection Race
No. of Clients	4
Issue	<p>We granted legal assistance and provided representation to a Ukrainian family of Roma ethnicity who had fled the war in Ukraine in relation to their application for Temporary Protection in Ireland.</p> <p>The family, a couple and two children, fled the war in Ukraine. They were initially refused Temporary Protection on arrival at the Temporary Protection Centre. The Commission wrote to the Department of Justice and the family were invited to resubmit their application.</p>
Outcome	With our assistance, the family submitted new applications for Temporary Protection. The family, accompanied by one of our solicitors, subsequently attended the Temporary Protection centre and were granted Temporary Protection by the State.

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 seven cases as *amicus curiae* in the Superior Courts (four of which completed during the course of the year). We were also involved as a third party intervener in a case before the European Court of Human Rights in Strasbourg.

During the year, we sought and were granted liberty to intervene as *amicus curiae* in six additional cases. One case was completed during the year, whilst four were still ongoing. As of the 31st of December, we were still in the process of applying to the Supreme Court for liberty to intervene as *amicus curiae* in the sixth.

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

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

Completed cases

Work completed on five *amicus curiae* cases during the year.

The case we were involved in as third party intervener before the European Court of Human Rights in Strasbourg also completed.

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

Case Name	In the matter of section 34 of the Criminal Procedure Act 1967 (as amended by section 21 of the Criminal Justice Act 2006 and section 47 of the Court of Appeal Act 2014) The People (at the suit of the Director of Public Prosecutions) v JD
Court	Supreme Court
Commission Intervention	04 October 2021
Hearing Date	19 October 2021
Judgment	24 October 2022

Details	<p>In these proceedings, JD (the Defendant) was charged with several offences, where only one (a count of endangerment) was an indictable offence. In 2017, in Longford Circuit Court, the trial judge considered that fair procedures had not been observed by the Gardaí, in failing to interview the Defendant in relation to the indictable offence. The trial judge directed the jury to find the Defendant not guilty in respect of that charge (though not in respect of other matters). The case was successfully appealed at the Court of Appeal and subsequently went before the Supreme Court, which granted us liberty to exercise our <i>amicus curiae</i> function.</p> <p>In our legal role as <i>amicus curiae</i>, we submitted that there is an onus on investigating authorities, in so far as practicable, to put a suspect on notice of any allegation which may result in a charge. We submitted that this requirement is an aspect of the fair trial right enshrined in Article 38.1 of the Constitution, and that a failure by the investigating authorities to secure the account of an accused can hinder the effectiveness of the investigative process and the fairness of a trial.</p>
----------------	---

Outcome	The Supreme Court dismissed the appeal. In its ruling, the Supreme Court held that the Circuit Court trial judge was incorrect in law in directing the jury to return a verdict of not guilty on a count of endangerment in circumstances where the Garda investigation did not include an interview with the accused.
----------------	--

Case Name	Clare County Council v Bernard McDonagh and Helen McDonagh and the Irish Human Rights and Equality Commission
Court	Supreme Court
Commission Intervention	22 November 2021
Hearing Date	17 December 2021
Judgment	31 January 2022

Details	<p>The proceedings involved the McDonagh family, who as members of a recognised ethnic minority, sought Traveller-specific accommodation. The case focused on their unauthorised presence on a Clare County Council-owned site, having not been provided with appropriate accommodation by the Council elsewhere. Clare County Council argued that their occupation of Council-owned land constituted an unauthorised development under planning law. The High Court granted injunctive relief (in the form of eviction orders) against the McDonagh family. This was upheld by the Court of Appeal. However, the Supreme Court granted a stay on the eviction orders while an appeal was heard.</p> <p>In our legal role as <i>amicus curiae</i>, we submitted that Clare County Council failed in its statutory obligations to properly and proportionately assess the rights of a Traveller family before invoking planning laws to evict them from a site in the county.</p>
----------------	--

Outcome	The Supreme Court unanimously upheld the McDonagh family’s appeal against their eviction. Central to this appeal was the Supreme Court’s examination of whether a local authority was obliged to consider the impact of eviction on persons such as the McDonagh’s and their prospects for obtaining lawful accommodation elsewhere, as well as the Council’s own interests, powers and obligations, both as landowner, and as housing and planning authority.
----------------	--

Case Name	Robert and Henry Donnelly (suing by his father and next friend Robert Donnelly) v Minister for Social Protection, Ireland and the Attorney General
------------------	---

Court	Supreme Court
--------------	---------------

Commission Intervention	14 October 2021
--------------------------------	-----------------

Hearing Date	18 January 2022
---------------------	-----------------

Judgment	04 July 2022
-----------------	--------------

Details	<p>This case concerned a father who was deemed ineligible for Domiciliary Care Allowance while his severely disabled child was resident in hospital for periods of time that were longer than specified in the relevant legislation grounding the payment.</p> <p>In our legal role as <i>amicus curiae</i>, we argued that parental care for a disabled child does not ‘materially change’ when that child is hospitalised.</p>
----------------	--

Outcome	The ruling dismissed a challenge, brought under Article 40.1 of the Constitution and Article 14 of the European Convention on Human Rights, to a decision of the Minister of Social Protection and to certain provisions of the Social Welfare Consolidation Act 2005.
----------------	--

Case Name	UM (A minor suing by his next friend MM) v The Minister for Foreign Affairs and the Irish Human Rights and Equality Commission
------------------	---

Court	Supreme Court
--------------	---------------

Commission Intervention	19 January 2022
--------------------------------	-----------------

Hearing Date	15 February 2022
---------------------	------------------

Judgment	02 June 2022
-----------------	--------------

Details	<p>The case focused on ‘UM’ who was born in Ireland and asserted Irish citizenship on the basis of his Afghan father’s residency in the country, as a refugee, prior to his birth. His father was granted refugee status in 2006. However, the Department of Justice informed the father in August 2013 that the Minister was revoking his refugee status due to fraud.</p> <p>UM, who was born before the revocation of his father’s refugee status, had his Irish passport application refused two years later, on the basis that any residence derived from his father’s refugee grant could not be relied on for the purposes of UM’s assertion of citizenship.</p> <p>The Supreme Court heard the case as it raised significant questions of the impact of retrospective application of a decision to revoke refugee status, and the impact of that decision on a child who is a citizen by birth, not having an Irish parent.</p> <p>In our legal role as <i>amicus curiae</i>, we submitted that any decision that retrospectively revokes refugee status of the parent, has grave and enduring consequences for the child, with the effect of depriving that child of Irish citizenship. We argued that any decision that leads to a deprivation of that child’s citizenship must be subject to procedural safeguards and a proportionality assessment.</p>
----------------	---

Outcome	<p>The Supreme Court allowed UM’s appeal and set out that:</p> <p><i>“the acquisition or loss of citizenship is a matter of profound significance for the individual concerned. Citizenship is an important aspect of the status of any individual”</i></p> <p>accepting the importance of taking account of derivative rights, such as those of children impacted by any decision to revoke refugee status. The Court also stated that a blanket approach of “fraud unravels all” could be a dangerous one for a range of reasons, including the impact on derived rights.</p>
----------------	---

Case Name	PD v The Minister for Education, Ireland and the Attorney General and the Irish Human Rights and Equality Commission
Court	High Court
Commission Intervention	3 October 2022
Hearing Date	Case settled before hearing
Judgment	N/A

Details	<p>The case concerned access to the Revised Ex Gratia Scheme for survivors of historic abuses in schools. In particular, the case focused on the requirement under the scheme for survivors to have, on or before 1 July 2021, issued legal proceedings against the State seeking damages for sexual abuse in day schools before 1991 and 1992 in primary and post-primary schools respectively, and following the ruling of the European Court of Human Rights in <i>O’Keeffe v Ireland</i>.</p> <p>In our legal role as <i>amicus curiae</i>, we made submissions to the High Court on equal access to redress for all victims of sexual abuse in day schools.</p>
----------------	--

Outcome	The matter settled between the parties in December 2022, prior to Judgment being handed down by the Court.
----------------	--

Case Name	Faulkner v Ireland and McDonagh v Ireland
------------------	--

Court	European Court of Human Rights
--------------	--------------------------------

Commission Intervention	21 December 2021
--------------------------------	------------------

Hearing Date	N/A
---------------------	-----

Judgment	31 March 2022
-----------------	---------------

Details	<p>The proceedings involved the McDonagh and Faulkner families (who are members of the Traveller community), who challenged Circuit Court orders under section 160 of the Planning and Development Act 2000. The case focused on the rights of members of the Traveller community to accommodation, legal aid and a fair trial.</p> <p>In our legal role as Third Party Intervener, we made a number of submissions in respect of Traveller housing rights, discriminatory practices in the provision of public services to Travellers, the right to respect for private and family life under Article 8 of the European Convention on Human Rights and the right to a fair trial under Article 6.</p>
----------------	--

Outcome	<p>The European Court of Human Rights in Strasbourg unanimously dismissed the appeals. The ruling focused on Article 8 rights. The Court did not consider in detail Article 6 rights (right to fair trial), which our legal submissions also focused on. While our submissions are noted in the Judgment, the Court ultimately determined that there was no basis to conclude that the means employed to achieve the legitimate aims pursued by the local authority were disproportionate to those aims.</p>
----------------	--

Ongoing cases

At year end we were involved in nine ongoing cases as *amicus curiae* or as a third party intervener.

Details of ongoing matters are set out in the following tables:

Case Name	Digital Rights Ireland Limited v The Minister for Communications, Marine and Natural Resources, the Minister for Justice, Equality and Law Reform, the Commissioner for An Garda Síochána, Ireland and the Attorney General (Data Protection)
Court	High Court
Commission Intervention	01 July 2008
Hearing Date	N/A
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 Name	V v Minister for Health, the Minister for Justice, Ireland and the Attorney General and the Irish Human Rights and Equality Commission
Court	High Court
Commission Intervention	18 November 2020
Hearing Date	Ongoing
Status	Ongoing
Details	<p>This case centres on a man ('Mr V') with an intellectual disability who wants 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. Concerns about Mr V's capacity to marry were raised before the High Court.</p> <p>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, 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.</p> <p>Mr V's legal team is challenging the constitutionality of the High Court's wardship jurisdiction, as well as its compatibility with the European Convention on Human Rights. Furthermore he is challenging the constitutionality of the Marriage of Lunatics Act 1811 and its compatibility with the European Convention on Human Rights. In our legal role as <i>amicus curiae</i>, we are assisting the High Court with submissions about the rights of people with disabilities under the Irish Constitution, the UN Convention of the Rights of Persons with Disabilities ('UNCRPD') and the European Convention of Human Rights.</p>
Outcome	<p>On 10 November 2022, the High Court adjourned the wardship inquiry, as well as the constitutional proceedings, to a date in January 2023, in anticipation that the commencement of the Assisted Decision-Making (Capacity) Act 2015 would resolve the issue.</p> <p>As at 31 December 2022 the Assisted Decision-Making (Capacity) Act 2015 had not yet commenced.</p>

Case Name	Robert O'Brien and Lorcan O'Brien Amigo (suing by his father and next friend Robert O'Brien) v The Health Service Executive and the Irish Human Rights and Equality Commission
Court	Court of Appeal
Commission Intervention	26 November 2021
Hearing Date	22 January 2022
Status	Ongoing
Details	<p>This case concerns a six-year-old child who was referred to the HSE for a disability assessment under the Disability Act 2005. It is an appeal before the Court of Appeal relating to a refusal by the HSE to diagnose a child's disability and the supports that flow from such a diagnosis. Operating under a 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 father challenged this decision in the High Court, which found in favour of the HSE. The child's father then challenged the decision of the High Court to the Court of Appeal.</p> <p>In our legal role as <i>amicus curiae</i> we argued that the HSE's current interpretation of disability under the Disability Act potentially deprives people of their fundamental rights and is contrary to the UNCRPD and Article 42A of the Constitution.</p>
Outcome	The Judgment of the Supreme Court is awaited as at 31 December 2022.

Case Name	A, B and C (A minor suing by his next friend, A) v Minister for Foreign Affairs and Trade
Court	Supreme Court
Commission Intervention	12 May 2022
Hearing Date	29 June 2022
Status	Ongoing
Details	<p>This case examines 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’). Any rights of the surrogate mother were effectively extinguished by this order.</p> <p>In early 2017 the Irish parent, A, applied for an Irish passport for C. The Minister for Foreign Affairs did not take a decision on the application. The Minister indicated that the application would be refused as he 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. No final decision was made and the application remained outstanding until proceedings were commenced in 2020, in order to compel a decision.</p> <p>The High Court ruled that the child was entitled to Irish citizenship, and directed that the Minister make a decision on the passport application. However, the Minister then successfully applied for a leapfrog appeal to the Supreme Court on the basis that the case raises matters of public importance.</p> <p>In our legal role as <i>amicus curiae</i> we set out our view 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 remains 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.</p>
Outcome	The Judgment of the Supreme Court is awaited as at 31 December 2022.

Case Name	Jaimee Middlekamp v Minister for Justice and Equality
Court	Supreme Court
Commission Intervention	15 June 2022
Hearing Date	18 October 2022
Status	Ongoing
Details	<p>This case concerns an appeal to the Supreme Court to consider whether a non-EEA applicant, who has been granted a finite permission to reside and work in the State and who has undertaken to leave after that permission expires, is 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.</p> <p>In our legal role as <i>amicus curiae</i> we examined the duty on the Minister to consider an applicant’s fundamental rights when making a decision under s.4(7) of the Immigration Act 2004 and whether protections under the European Convention on Human Rights and the Irish Constitution confer an obligation on the Minister to consider private and family life rights in immigration decision-making.</p>
Outcome	The Judgment of the Supreme Court is awaited as at 31 December 2022.

Case Name	The Director of Public Prosecutions v Patrick Quirke
Court	Supreme Court
Commission Intervention	06 October 2022
Hearing Date	12 and 13 December 2022
Status	Ongoing

Details	<p>This case concerns an appeal to the Supreme Court in relation to the extent of the requirement to identify what might be searched for when applying for a search warrant. In this case, the search warrant used by An 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. Mr Quirke argues that this circumvents both judicial scrutiny and safeguards against unlawful breaches of constitutional rights.</p> <p>In our legal role as <i>amicus curiae</i> we highlighted the need to safeguard people’s privacy rights, while also ensuring that search warrants secured by police are robust, and lead to effective and fair investigations.</p>
----------------	---

Outcome	The Judgment of the Supreme Court is awaited as at 31 December 2022.
----------------	--

Case Name	Gideon Odum and Sophie Chukwudi (An infant suing by and through her father and next friend Gideon Odum) and Richard Chukwuebuke Agbonhese (An infant suing by and through his father and next friend Gideon Odum) and William Onyinye Agbonhese (An infant suing by and through his father and next friend Gideon Odum) v The Minister for Justice and Equality
------------------	--

Court	Supreme Court
--------------	---------------

Commission Intervention	24 November 2022
--------------------------------	------------------

Hearing Date	N/A
---------------------	-----

Status	Ongoing
---------------	---------

Details	<p>This case concerns the consideration of fundamental rights in the context of deportation orders and explores whether, and to what extent, when deciding to deport a foreign national parent of children lawfully resident in the State, the Minister for Justice should expressly refer to and consider the possible infringement of constitutional rights that such a decision would entail. The Supreme Court will consider whether the test applied by the High Court – that there must be a “meaningful involved relationship” between the parent and children concerned before a breach of constitutional rights would arise for consideration – accurately reflects Irish law.</p> <p>In our legal role as <i>amicus curiae</i>, we propose to address the fundamental rights of individual’s subject to Deportation Orders, in particular their family rights under the Constitution.</p>
----------------	---

Outcome	The proceedings are ongoing with the hearing of the case due to take place in early 2023.
----------------	---

Case Name	Stephen Tallon v The Director of Public Prosecutions, Ireland and the Attorney General
Court	Court of Appeal
Commission Intervention	15 December 2022
Hearing Date	N/A
Status	Ongoing
Details	<p>In this case, an anti-social behaviour order was made against the Respondent, Mr Tallon who was later convicted for breaching the anti-social behaviour order on two occasions. The case centres on the operation of Part 11 of the Criminal Justice Act, 2006 which allow for the making of civil orders restraining anti-social behaviour. A breach of a civil order made under Part 11 of the Criminal Justice Act, 2006 is a criminal offence.</p> <p>In our legal role as <i>amicus curiae</i>, we propose to address the key human rights issues arising in the case, including the requirement for legal certainty in the terms of anti-social behaviour orders and the statutory and constitutional requirement for proportionality in the framing of anti-social behaviour orders.</p> <p>On 15 December 2022, we filed papers the Court of Appeal seeking leave to intervene as <i>amicus curiae</i> in this matter.</p>
Outcome	The leave application is listed for hearing on 13 January 2023.

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.

In March the Minister for Children, Equality, Disability, Integration and Youth issued the following Codes of Practice, which had been submitted to him for approval:

- ▶ A Code of Practice on Equal Pay; and
- ▶ A Code of Practice on Sexual Harassment and Harassment at Work.

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



During the year, we also:

- ▶ Completed the statutory public consultation process on a draft Code of Practice on Reasonable Accommodation; and
- ▶ 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, following completion of a statutory public consultation process.

At year end, the draft Code of Practice on the Promotion of Family-Friendly Measures in the Workplace is awaiting Ministerial approval.

Information note

We published an information note on the Rights of Families at Inquests. This information note seeks to provide guidance to bereaved families in their engagement with the inquest (death investigation) process conducted by a coroner under the Coroners Acts 1962 - 2020.



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

On foot of Equality Reviews, which were undertaken 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. As of 31 December 2022, this work is ongoing.

Equality Action Plan: Experience of Non-Nationals Accessing Free General Practitioner Services

In 2019, we invited the HSE to prepare and implement an Equality Action Plan on the provision of interpretation services when accessing GP services to public patients whose first language is not English. During 2021, we were informed by the HSE that completion of this Equality Action Plan had been delayed due to the pressures of the ongoing Covid-19 pandemic and the disruption of the cyber-attack on HSE services. The

HSE kept us aware of progress on the Equality Action Plan during the course of 2021 and we were advised that a completed plan would be furnished to us in early 2022.

The HSE submitted a final Equality Action Plan in June. Accounts of both the Equality Review and the Equality Action Plan were subsequently agreed by us and have now been published on our website.

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:

General Scheme of the Criminal Justice (Hate Crime) Bill

In our submission to the Committee on Justice, we welcomed legislative proposals to address incitement to hatred and hate crime, and raised concerns that the definition of ‘hatred’ in the legislation does not align with international standards, and that key terms such as incitement, hostility and violence are not defined in the legislation. We recommended that further consideration be given to ensuring the legislation does not criminalise conduct or speech protected under national and international law.

General Scheme of the Assisted Decision-Making (Capacity) Amendment Bill

We engaged with the Minister of State for Disability and the Department of Children, Equality, Disability, Integration and Youth on our concerns with the legislation as it passed through the Houses of the Oireachtas.

[Commission Member Adam Harris appearing before the Joint Committee on Children, Equality, Disability, Integration and Youth on the Assisted Decision-Making \(Capacity\) Amendment Bill](#)



We appeared before the Committee on Children, Equality, Disability, Integration and Youth for its pre-legislative scrutiny of the Bill. The legislation brings to an end to the current system of wardship as well as formalising the role of the Commission as the Independent Monitoring Mechanism for Ireland under the UNCRPD. We welcomed the move to a rights-based approach, with respect for the will and preference of the person. We raised a number of concerns over weaknesses in the legislation including a limited right of appeal, access to legal representation, and unclear timelines for applications to detain.

Education (Admission to Schools) Bill

In our submission to the Committee on Education, Further and Higher Education, Research, Innovation and Science, we set out that the ‘past pupil’ criterion in school admission policies acts as a barrier, particularly for children of Travellers, immigrants and disabled people, in accessing education and may result in their segregation in specific schools. We recommended that legislation on school admissions should prohibit the use of a connection with a former student of the school as a criterion in the admission of a student.

General Scheme of the Garda Síochána (Digital Recording) Bill

In our submission to the Department of Justice, we outlined that the legislation proposed radical changes to the Garda recording powers and expressed concerns around the adequacy of safeguards within the legislation. We recommended that the human rights and equality implications of technologies such as body-worn cameras and drones need to be subject independent and effective oversight. We made a further submission to the Department of Justice after the Minister for Justice’s announcement of the intention to legislate for the processing of special categories of data, including facial recognition technology and artificial intelligence. We raised concerns about the effectiveness of facial recognition technology and artificial intelligence for law enforcement purposes and the compliance of these technologies with human rights and equality principles.

General Scheme of the Mental Health (Amendment) Bill

In our submission to the Sub-Committee on Mental Health, we outlined a number of human rights and equality concerns, including alignment of the legislation with the UNCRPD. We recommended that the reform of mental health legislation must be accompanied by State measures to ensure that less restrictive forms of treatment in the community are made available and the ultimate eradication of coercion in the treatment of people with psychosocial disabilities.

General Scheme of the Garda Síochána (Powers) Bill

In our submission to the Department of Justice, we advised that the precise scope of the powers provided to An Garda Síochána needs to be outlined within the legislation, instead of being addressed in codes of practice. We further recommended that members of An Garda Síochána should be expressly required to record the racial and ethnic origin of a person during a stop and search, and that stronger wording should be included in the legislation to prohibit racial profiling.

General Scheme of the Health (Termination of Pregnancy Services (Safe Access Zones)) Bill

In our submission to the Department of Health, we acknowledged the complexity of the sensitive issues being considered by the Minister in respect of this legislation. In particular, we acknowledged that legislating for safe access zones engages several rights, including: the right to privacy and bodily autonomy, and the right to freedom of assembly, and expression.

General Scheme of the Inspection of Places of Detention Bill

The proposed legislation provides the mechanism by which the Government will finally ratify the Optional Protocol to the UN Convention against Torture. It designates National Preventative Mechanisms ('NPM') that will act as national inspecting bodies of places of detention within Ireland and designates us as the coordinating National Preventative Mechanism with responsibility for coordinating the NPM network in Ireland. In our submission to the Department of Justice, we welcomed the proposed legislation but highlighted that it does not go far enough in some key areas relating to resourcing and independence of the NPM network, as well as raising concerns regarding the definition of 'places of detention' as it does not include de facto places of detention, where deprivation of liberty or detention may occur.

General Scheme of a Mother and Baby Institutions Payment Scheme Bill

In our submission to the Department of Children, Equality, Disability, Integration and Youth, we called for significant changes to the legislation to ensure compliance with human rights and equality standards. We recommended the removal of the six-month length of stay requirement for a person who was resident as a child in a relevant institution to be eligible to apply to the Payment Scheme. We also recommended that legislation should directly reference the harms it intends to redress, in particular the loss of the mother and child bond, and to remove the requirement to sign a legal

waiver to any right of action before accepting a payment. In December, we sent a follow-up letter to the Minister for Children, Equality, Disability, Integration and Youth on our list of outstanding concerns with the legislation.

Legislative reform

Independent Review Group on the Offences Against the State Acts

We met with the Independent Review Group to discuss our November 2021 submission to the Review Group.

Review of the Health (Regulation of Termination of Pregnancy) Act

In our submission to the Department of Health, we highlighted a number of issues with the current legal provision of abortion relating to access to termination of pregnancy services. We recommended that abortion be decriminalised in all circumstances; that the practice of conscientious objection must be more strictly regulated; and that any person who receives a fatal foetal abnormality diagnosis should be allowed access to a termination. We also highlighted the disparate levels of access to services for members of structurally vulnerable groups and called for the Act to be equality-proofed.

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.

Convention on the Elimination of All Forms of Racial Discrimination

We submitted a parallel report to the UN Committee on the Elimination of Racial Discrimination as part of the follow-up procedure for the combined fifth to ninth periodic reports. The Committee provided recommendations relating to the regulation of hate speech online, the proposed hate crime legislation, hate crime training for key actors in the justice system, and the current provision of legal aid.

European Social Charter

We submitted a parallel report to the European Committee of Social Rights to provide an update on Ireland's implementation of the Revised European Social Charter. The submission addressed issues relating to the 'Labour Rights' thematic group. We expressed concerns regarding inadequate protections for employees, discriminatory policies, the prevalence of sexual harassment and discrimination in the labour market, and the failure to acknowledge the social and economic value of care work. We also called for the legislative and policy gaps in relation to the right to a living wage and collective bargaining to be addressed.

International Covenant on Civil and Political Rights

We submitted a parallel report to the UN Human Rights Committee to inform its fifth periodic review of Ireland's protection of civil and political rights. It included important recommendations on policing, historic human rights abuses, discrimination, gender equality, international protection, and access to justice and the rule of law. A Commission delegation subsequently attended the Committee's review of Ireland in Geneva in July, and engaged with Committee members to support its direct questioning of the State delegation. The Committee's Concluding Observations were published later in July, and its recommendations are closely aligned with our parallel report.

Chief Commissioner Sinéad Gibney addressing our recommendations to the UN Human Rights Committee on ICCPR with Commission Member Jim Clarken



Convention on the Rights of the Child

We submitted a parallel report to the UN Committee on the Rights of the Child to inform its combined fifth and sixth periodic review of Ireland. The submission highlighted our concerns regarding Ireland’s implementation of the Convention and made over 100 recommendations, ranging across areas such as data collection; access to citizenship; violence against children; child trafficking; family law; disabled children; mental health; child poverty; homelessness; and education. We noted particular concerns about the systemic inequality and exclusion experienced by structurally vulnerable groups of children in Ireland. We subsequently engaged with Committee members during a pre-session meeting in Geneva in September to raise our priority issues on children’s rights in Ireland, and submitted additional information in December.



Convention on preventing and combating violence against women and domestic violence

We submitted a report to the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (‘GREVIO’) which provided information in advance of its first baseline evaluation procedure for Ireland. We detailed shortcomings in Ireland’s implementation of the Council of Europe Convention

on preventing and combating violence against women and domestic violence (‘Istanbul Convention’), across the four pillars of the Convention: prevention; protection; prosecution and policy coordination. The report considered thematic areas such as inter-agency coordination; campaigns and awareness; education; refuge accommodation; specialist support services; law enforcement response; protections during judicial proceedings; and migration and asylum.

Commission Member Prof. Caroline Fennell
appearing before the Joint Committee on
Gender Equality



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’).

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

ENNHRI

ENNHRI represents forty-six 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.

ENNHRI Rule of Law Report

We submitted a response to ENNHRI's consultation for its Rule of Law Report, which was published in July. 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;
- ▶ checks and balances;
- ▶ functioning of the justice system;
- ▶ media freedom, pluralism and safety of journalists;
- ▶ corruption; and
- ▶ the State's response to Covid-19.

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.



ENNHRI Human Rights Defenders Resource

We submitted material to be included in ENNHRI's collection of good practice for NHRIs and human rights defenders. The Human Rights Defenders Resource gives guidance to European NHRIs who wish to find more effective ways of working with and protecting the rights of human rights defenders. The resource also provides useful information and tools to human rights defenders and civil society on how they can collaborate with NHRIs to counter increasing limitations on democratic space in Europe. We submitted material on the operation of our Grant Scheme, the need for participation of structurally vulnerable groups, including children and disabled people, in decision-making process, and on the impact of funding restrictions on the functioning of civil society.

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

We contributed to an Equinet workshop in January on data collection by equality bodies to inform a Directorate General for Justice and Consumers study on the preparation of a legislative proposal on binding standards for equality bodies.

We presented to the Equinet event in April on the role of equality bodies in the development, implementation and monitoring of National Action Plans Against Racism, focussing on sharing good practices, and identifying the tools needed to further strengthen involvement and contributions to the National Action Plans Against Racism.

We also participated in training on the 'Use of Equality Data and Research in Legal Casework' in October, focused on sharing good practices, discussing challenges and identifying ways forward.

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 in Geneva during the Human Rights Committee's review of Ireland on the International Covenant on Civil and Political Rights.

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.

In September 2022, Jim Clarken was elected Chairperson of the FRA Management Board.

Commission Members Jim Clarken and Dr Salome Mbugua representing the Commission at the European Fundamental Rights Agency



We continued to participate in the ongoing work of two EU bodies.

EU Subgroup on Equality Data

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 Sexual Orientation, Gender Identity and Expression, and Sex Characteristics data. In October, we hosted the Subgroup for a two-day Ireland showcase and knowledge-exchange event to input into final-stage drafting of the EU Guidance note on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics data. Policy-makers and civil society organisations showcased of good practice examples and learning in Ireland through knowledge exchange presentations and panel discussions. The EU will publish the Guidance Note in 2023.

Participants at the EU Subgroup on Equality Data meeting in Dublin



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 the gender equality dimensions of climate change; and
- ▶ Opinion on gender mainstreaming in budgets at national, regional, and local level in the EU.

Four jurisdictions

We maintain a strong working relationship 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.

The Commissions of the four jurisdictions met in January.

Dedicated mechanisms

With 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 in Northern Ireland will continue to be protected after Brexit.

We continued working with the Equality Commission for Northern Ireland and the Northern Ireland Human Rights Commission 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. This included launching our first annual joint report - Equality and rights on the island of Ireland after Brexit: Annual Joint report of IHREC, ECNI and NIHRC on the implementation of Article 2 of the Ireland/Northern Ireland Protocol.

A working group of the three Commissions met four times throughout the year to progress this work.

Members of the Commission, the Equality Commission for Northern Ireland and the Northern Ireland Human Rights Commission launching their first joint annual report



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 our work to foster a heightened understanding and acceptance by Government Departments and public sector bodies of their responsibilities with regard to the Duty.




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

It is critical that future proofing efforts by the State ensure that rights-holder groups, who are likely to be most affected, are participants in crisis planning and management processes, from the start.

Adam Harris
Commission Member

In Focus – eLearning module

In April, our new online learning module to support public servants' understanding of the human rights and equality obligations of their work was formally launched by the Minister for Children, Equality, Disability, Integration and Youth, Roderic O'Gorman.

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.

The module was rolled out across the civil service in association with OneLearning, the Civil Service Learning and Development Centre. It was also made available on the HSE's HSeLanD learning portal and to civil society organisations.

We implemented an extensive dissemination plan to promote the module, including promotion within OneLearning, placing advertisements in public sector publications and targeting specific sectors such as education and local government.

By the end of the year, 1,800 public servants across 181 Public Bodies registered to complete the module. We also applied a number of changes to the module arising from evaluations received from learners and an updated version will be available in 2023.

The module can be accessed on www.ihrec.ie/elearning



Developing a Code of Practice

We prepared a first draft of a Code of Practice on the Duty. This will go to written public consultation with key public body stakeholders in 2023. The code aims to give practical guidance to public bodies on the measures to be taken to comply with the Duty and to assist public bodies in demonstrating compliance with the Duty.

Engaging with the public sector

We engaged with 65 public bodies, including six government departments and 29 local authorities.

We are a Subject Matter Expert for OneLearning and worked with them to develop new courses that have a focus on equality, human rights and the Duty in their next course offering to the civil service.

We drafted guidance to support bodies to implement the Address and Report steps of the Duty. The guidance materials provide public bodies with information on the Duty and suggest practical steps to implement the Duty in their own organisation. The Guidance for the Address Step and Guidance for the Report Step will be available for dissemination to public bodies in 2023.

We developed a one-page factsheet for elected representatives and organised an all Party Oireachtas Briefing on the Duty in Leinster House.

All-Party Oireachtas Briefing on the Public Sector Duty



We worked with the Association of Irish Local Government to support Elected Members of local authorities to better understand the Duty and the role they, as local councillors, can take in supporting its implementation.

We worked with the Department of Rural and Community Development and Pobal to deliver training to 120 staff from local authorities across the country, to support the implementation of the Duty in the development of Local Economic Community Plans 2023-2028.

Civil society engagement and guidance

We consulted with civil society organisations to initiate the development of specific civil society guidance. It is planned to launch the guidance in 2023. We also initiated work with the 18 civil society grant recipients undertaking projects relating to the Duty, to explore how they can utilise it in their policy and advocacy work.

Attendees at a collaborative learning event on the potential of Public Sector Equality and Human Rights Duty for civil society organisations



National equality strategies

We contributed to the steering committees and independent evaluations 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, commissioned by the Department of Children, Equality, Disability, Integration and Youth.

The evaluation of these equality strategies will be published in early 2023.

We are also members of the steering committee for the National LGBTI+ Inclusion Strategy.

European Structural and Investment Funds 2021-2027

We continued our representation on the Partnership Process Steering Group to plan for the next round of European Structural and Investment Funds 2021-2027. The European Structural and Investment Funds Partnership Agreement between the Government and the European Commission was finalised in early 2022 and the EU Commission approved Ireland's Structural Funds Partnership Agreement in December. We worked to ensure adherence to the enabling conditions relating to equality and human rights and the horizontal principle on equality and non-discrimination in the forthcoming Funds. We worked with the European Structural and Investment Funds Managing Authorities to support the progression of equality and human rights in the planning, implementation, monitoring, reporting, and evaluation of the new programmes supported by the guidance on Equality and Human Rights in EU Funds 2021-2027.

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.

An Garda Síochána Human Rights Strategy

In our submission by correspondence to An Garda Síochána, we welcomed the explicit reference to the Public Sector Equality and Human Rights Duty in the Strategy. We recommended the inclusion of a specific action in the Strategy for the establishment of a mechanism to verify the integration of human rights into the work of An Garda Síochána.

European Semester 2022 and the National Reform Programme

Drawing on established positions, our submission to the Department of the Taoiseach addressed the pandemic impact on socio-economic rights; income inequality; social exclusion and poverty; inequality in employment; housing and homelessness; care; racism and racial discrimination; disability rights; gender equality; international protection; and climate justice.

Referendum on Housing in Ireland

In our submission to the Housing Commission, we recognised that while Ireland has no constitutional or legally established right to housing, the right to adequate housing is a central part of Ireland's obligations under international human rights law. We made a number of recommendations, including that the right to adequate housing is expressly incorporated into the Constitution, along with other economic, social and cultural rights, to ensure justiciability before national courts. We also called for supplementary policy and statutory measures to further accompany constitutional recognition.

Roadmap for Social Inclusion: Mid-Term Review

In our submission to the Department of Social Protection on the mid-term review of the Roadmap for Social Inclusion 2020-2025, we set out our observations under the seven high-level goals identified: expanding the opportunity of employment; supporting workers and families; supporting older people; supporting families and children; supporting people with disabilities; supporting communities; and core

essentials. We called for the mid-term review to be underpinned by international human rights and equality standards, ensure accountability for consistent inadequacies in implementation to date, and incorporate dynamic revisions, including to reflect the impact of the pandemic, Brexit, increasing climate change and environmental challenges, and the cost of living, housing and social inclusion crises.

Junior Cycle SPHE Short Course Curriculum

In our submission to the National Council for Curriculum and Assessment, we called for the updated sexual and reproductive health education curriculum to be compulsory, scientifically accurate, evidence-based, inclusive, non-judgmental, and comprehensive. We welcomed the inclusion of emotional wellbeing as a strand of the curriculum and noted the need to address identity-based bullying through education.

Joint Committee on Gender Equality Interim Report on Constitutional Change

We provided a response to a request from the Joint Committee on Gender Equality regarding options for wording for amendments to Articles 40.1 and 41 of the Constitution which are proposed in the Committee's 'Interim Report on Constitutional Change'.

We made recommendations on changing the gendered language in the Constitution and making amendments that would reflect a more progressive understanding of family life and valuing care work.

Commission Member Prof. Caroline Fennell appearing before the Joint Committee on Gender Equality



The Incorporation of Economic, Social and Cultural Rights into the Irish Constitution

We approved a policy statement, to be published in early 2023, on the constitutional recognition of economic, social and cultural rights outlining that rights, such as the

right to food, housing, social assistance and medical care, must be constitutionally protected in the same way as civil and political rights.

The statement also recommends that a Joint Oireachtas Committee on a Constitutional Amendment for ESC rights be established, with a clear mandate to produce a draft constitutional text for consideration by the Oireachtas.

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

In the context of our Strategic Priority on Economic Equality, we approved a policy statement on welfare indexation. The policy statement drew on stakeholder engagement and follows 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.

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.

Housing Assistance and Discrimination – A Scoping Study on the ‘Housing Assistance Ground’ under the Equal Status Acts 2000-2018

This research sets out how tenants face multiple discriminations in accessing, or maintaining, a rented home in Ireland because they receive Housing Assistance payments. The Equality (Miscellaneous Provisions) Act 2015 introduced ‘housing assistance’ as a new ground of discrimination in the provision of accommodation under the Equal Status Acts. The report makes an important contribution to knowledge on the ‘housing assistance ground’ under equality legislation in Ireland, in particular it provides insight into case law analysis and access to justice under this ground.



Irish Travellers' Access to Justice

Together with the Irish Research Council, we provided funding to researchers at the University of Limerick for research examining the relationship between Travellers and the Irish criminal justice system. The report highlights that Travellers mistrust in the criminal justice system is grounded in personal and shared experiences of unsatisfactory, and sometimes biased, treatment at the hands of criminal justice professionals. The research further shows that Travellers are over policed as suspects and under policed as victims and evidences significant human rights concerns within and across the criminal process with respect to Travellers.

President Michael D Higgins meeting with the authors of Irish Travellers Access to Justice, funded through our Grant Scheme



Experiences of Second Generation Minority Ethnic Young People in Ireland

We worked with researchers from Dublin City University to better understand the experiences of second-generation minority ethnic young people. The qualitative study documents that discrimination, racism, and microaggressions are ever-present aspects of ethnic minority young peoples' experiences, and the concurrent impact on their self-esteem and self-worth.

Data

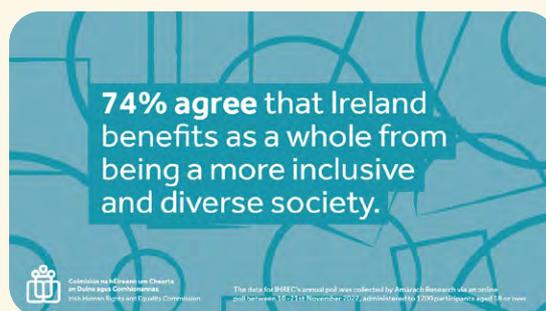
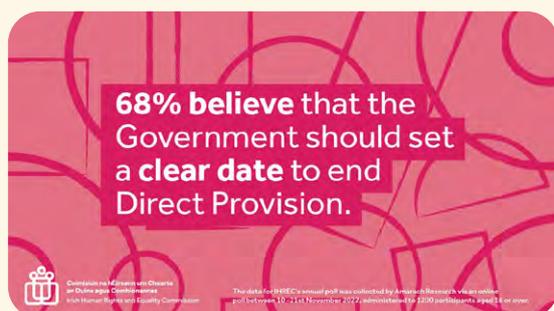
Consistent, clear data collection is essential to ensure policies are non-discriminatory and are enabling equal participation in Irish life. We are committed to strengthening the foundation of equality data. Throughout the year, we engaged in gathering poll data and contributed to a number of data-focused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

Annual poll

Our annual poll is a cross-sectional and representative survey, repeated annually. The data was collected via an online poll in November and was administered to 1200 participants aged 18 or over.

In this poll, support for migrants and those seeking asylum remained strong, with nearly 9 out of 10 (89%) people agreeing that no matter who you are, or where you're from, you should be treated equally. In contrast, discontent with the direct provision system remained higher, with 64% of people agreeing that those in the system experience racism and discrimination, while 68% believed that the Government should set a clear date to end Direct Provision.

The poll also found that over half (55%) of people are concerned that they will not be able to cover household energy costs over the next year, with 85% planning on reducing heating and electricity consumption, while 70% agree that the cost of living crisis is a human rights issue.



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 the Roadmap for Social Inclusion Technical Advisory Group.

Engagement and communication

Using our public space to support civil society

We were delighted to reopen our public space in September, after more than two years, for use by civil society organisations promoting human rights and equality. Between September and December, 15 external activities took place. They included One Family's 50th Anniversary celebration, Solise Graduation Ceremonies, conferences, seminars and capacity building initiatives on a range of topics including: human rights law; women's rights; LGBTQ+ Health; people with intellectual disabilities and the media; and upskilling migrant leaders as intercultural trainers.

One Family celebrate their 50th anniversary in our newly reopened event space



Chief Commissioner at Irish Penal Reform Trust and Northern Ireland Association for the Care and Resettlement of Offenders Knowledge Exchange Seminar



In Focus – Achieving Gender Equality at Work: Care Policy and Practice

Our Achieving Equality At Work: Care Policy and Practice Conference took place at the Croke Park Conference Centre in November. It was organised in collaboration with the Worker and Employer Advisory Committee ('WEAC') and with the active support of both Ibec and ICTU. Close to 200 participants took part, including 46 speakers and moderators. The plenary discussions set the agenda for a more holistic approach to care policy and practice with perspectives offered from rights-holders, academics, civil society, International and European Union bodies and political representatives, including the Minister for Children, Equality, Disability, Integration and Youth and Ivana Bacik TD, Chair of the Joint Oireachtas Committee on Gender Equality. The afternoon panel discussions drilled deeper into a wide range of care issues.





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 2022-23 Human Rights and Equality Grants Scheme was on two of our strategic priorities: Advancing Greater Economic Equality; and Promoting Compliance with the Public Sector Equality and Human Rights Duty. The scheme had two strands. Strand one was open to national, regional and local civil society and the second was targeted specifically at local community and rights holder groups.

The scheme was launched in March. In total, 65 eligible applications were received.

32 projects were awarded grant support, encompassing a range of issues, including: carers allowance, migrant women in rural Ireland and access to employment; disabled people's access to social housing; people with previous convictions overcoming barriers to employment; deaf people's experience of employment; extent and nature of hygiene poverty; awareness by migrant people of their employment equality rights; survivors of sexual exploitation, human trafficking and gender based violence and their access to employment and housing; awareness and use of the Public Sector Equality and Human Rights Duty in policy and advocacy work of a range of civil society organisations. A full list of successful projects is available in Appendix 7.

Still from Youth Work Ireland film
[Waiting Waiting Waiting, funded through our Grant Scheme](#)



Public awareness

Our “Because we’re all human. Means we’re all Equal” campaign continued for its third successful year. Our disability rights national awareness campaign returned to the airwaves in January over four weeks across TV, radio, social media and online.

The #AllHuman #AllEqual campaign aims to challenge societal and individual attitudes that limit people with disabilities’ participation in everyday life.

The campaign was co-designed and led by people with disabilities who shared personal perspectives on everyday life and some of the barriers encountered when living with autism, an intellectual disability, complex needs, being blind, visually impaired, hard of hearing or Deaf, having a physical disability or mental ill-health.

REDC polling results focused on the attitudinal impact of the TV ad, found that 90% of people polled said it was positive to hear about disability directly from disabled people, and 89% of people polled saying the ad made them realise that more needs to be done to raise awareness about what it’s like being disabled living in Ireland.



In the media

Our engagement with local, national, international and online media continues to be an essential part of our work in communicating key issues of human rights and equality.

Much of our media coverage was proactive, stemming from our outputs across our legal, policy and research work. Particular focuses included: our role as *amicus curiae* in a number of cases, human trafficking, access to justice, Traveller accommodation, international protection, child rights, disability rights, prisoner rights, and police powers.

Resulting media coverage included stories and editorials in our national newspapers. We also contributed opinion-editorial articles and provided interviews to national newspapers on the issues of adequate housing provision, socio-economic rights, human-trafficking, two-tier refugee systems and transgender rights.

Broadcast media coverage of our work saw the Chief Commissioner appearing in live interviews across national television and radio and across regional radio stations.

Report finds recipients of Hap victimised

Unfair treatment by landlords of those receiving housing assistance 'prevalent'

IHREC report says discrimination against vulnerable households must be tackled

KITTY HOLLAND
Social Affairs Correspondent

58 per cent were upheld. Of the total, 66 were brought against landlords, 25 against letting agents, three against advertisers and three are unknown. Responses to the allegations at the WRC show several acknowledged "they had declined to engage with or offer tenancies to Han-eligible pro-

Vulnerable households dependent on housing assistance are being victimised by landlords and refused housing despite such discrimination being illegal, research published today finds. The unfair treatment, de-



Home / Irish News

Rights body uses legal powers to call councils to meeting over lack of Traveller accommodation



Laura Lynnott
Wed 7 Dec 2022 at 08:33

A human rights body is using its legal powers to call a meeting with seven local authorities over their failure to provide appropriate accommodation for Travellers.

Seven local authorities are being urged to implement an equality action plan for Traveller accommodation, as the Irish Human Rights and Equality Commission (IHREC) utilises a legal mechanism to call a meeting.

Ireland has 'steady stream' of inequality issues

Noel Baker
Social Affairs Correspondent

Discrimination against people with a disability prompted the most contacts to the country's human rights watchdog last year, and also topped the list of concerns in cases involving employment issues.

The 2021 annual report from the **Irish Human Rights and Equality Commission** showed that disability discrimination represented 46% of contacts related to services and 36% of contacts related to employment.

Under the **Equal Status**

Why is there a two-tier system for refugees?



Sinéad Gibney
Opinion

European solidarity in taking Ukrainians fleeing war contrasts with the treatment of people from elsewhere

It was World Refugee Day on Monday and all eyes are firmly on Ukraine. The scale of the war on the people of Ukraine is staggering, and the seismic impacts will be felt for generations. The start of the war was a moment for Ireland and the EU to stand with the people of Ukraine and assert our common humanity. And in many ways, we did. In record time, the EU agreed to activate the temporary protection directive to shelter Ukrainians fleeing war, offering immediate persecution, and does not require them to prove it. Anyone entering Ireland under the directive is immediately provided with a PPS number and, therefore, has access to welfare, education, health and work.

Again, this stands in contrast to the experience of someone seeking international protection from Somalia, Syria or Afghanistan. Their application for protection begins the moment they arrive in Ireland and can take months, but much more likely years, to process. During this time, they have very limited rights and entitlements and no choice near that camp



devastating consequences.

And, again, while it has been heart-warming to see such a response, it is simultaneously heart-breaking to those of us who work in this area, who have seen much less public sympathy extended to people arriving from elsewhere.

This is not an easy message to put out. Today, as families across Ireland welcome Ukrainian refugees to their homes, our response as a society must be self-aware. We must not seed division and resentment among those who seek protection here.

We must talk about race. Does it matter that most Ukrainian people look "just like us", or that they were "leading ordinary lives" until they were hit with this crisis? Why do we draw this distinction? Why were those same phrases not used to describe the people fleeing disaster in Ethiopia, Syria, Afghanistan? Does religious difference inform our thinking? How are our biases shaping this?

We are seeing a sinister approach to immigration evolve in Britain, with the first attempted transport last week of asylum seekers to Rwanda. We witnessed atrocities under the Trump administration in the US, including the separation of babies from their families.

At an EU level, our policy responses are hugely problematic and characterised by

“
All human beings are equally susceptible to the effects of war, violence and torture
”

Gangs taking advantage of the Border for trafficking, finds report

JACK POWER

Criminal gangs may be taking advantage of the Border and the "unique policing conditions" between the Republic and Northern Ireland to traffic victims for sexual and labour exploitation, according to a new report.

The Irish Human Rights and Equality Commission (IHREC) report, published today, said 44 victims of trafficking were identified in the State last year.

Twenty-five of the victims were trafficked for sexual exploitation such as prostitution, while 19 were trafficked for labour exploitation in the fishing industry, the food production sector, as well as for agricultural and domestic work.

The vast majority of victims came from Africa and about two-thirds of trafficking victims last year were women.

The report warned that "highly organised" transnational criminal groups were operating between the Republic and the UK trafficking victims. It said these criminal gangs saw the island of Ireland as a "single market" and take advantage of the Common Travel Area and "unique jurisdiction and policing conditions between the countries" when trafficking victims.

The commission said that victims were "moved easily and often across the Border" with traffickers running bases in both jurisdictions, and making frequent use of the "extensive maritime connections between the UK, Ireland and Europe".

Trafficked

In one case study highlighted by the report, a man was trafficked from southern Africa through Northern Ireland to work on a fishing boat in the Republic, where he had no access to washing facilities and was told he would not be paid until he worked off the cost of his journey to the State, three times.

For the second year in a row, authorities did not identify a single child victim of trafficking, which the commission warned could point to problems in the system for identifying underage victims.

"The lower than average trend in the preceding years, and the lack of identifications of child victims over the last two years, is a cause of concern," the report said.

Social media highlights



Twitter

3,002,555

Impressions – an average of 250,212 per month



LinkedIn

23%

Increase in followers from 7,756 to 9,512



Instagram

52%

Increase in followers from 2,139 to 3,240 by year end

Followers/Subscribers at the end of 2022



Twitter



Instagram



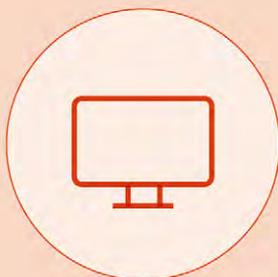
LinkedIn



Newsletter

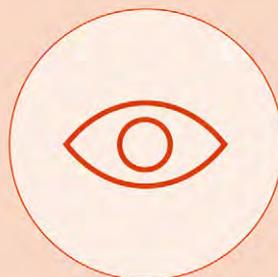


Website highlights



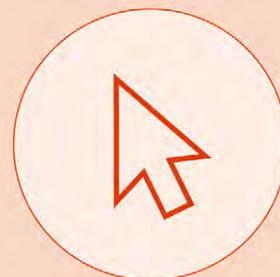
588,134

Page views on our website
An average of 49,011 per month



33%

Improvement on accessibility across our website



Most visited pages

After our homepage were focused on equal treatment in access to services (31,700 page views), our 'Your Rights' landing page (20,851 page views) and information about the Employment Equality Acts for employers (15,755 page views).

**Enhancing the
standards of
anti-trafficking
response in
Ireland**

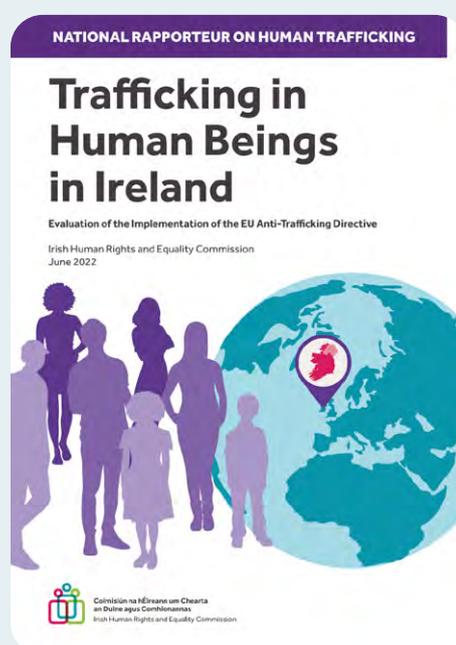
Our role as Ireland’s Independent National Rapporteur on Trafficking in Human Beings was established by Statutory Instrument No. 432 of 2020 – European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020, with a view to assessing trends, measuring results, gathering 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. We maintain that a statutory right to request and receive appropriate information would assist in the effective carrying out of the National Rapporteur duties, which currently hinges on existing collegial cooperation.

In Focus – First Annual Report as Independent National Rapporteur on Human Trafficking

We published our first Evaluation of the Implementation of the EU Anti-Trafficking Directive Report on the State’s actions to combat human trafficking. The report provides in-depth analysis of Ireland’s compliance with the Directive, and evaluates the State’s implementation efforts, with a view to establishing good practice approaches as well as identifying areas in need of improvement and reform. In addition to some specific recommendations to key state agencies, the report also issued a number of detailed recommendations needed in the areas of policy, practice, legislative reform and procedures, key among which are:

- ▶ The urgent establishment of a new National Referral Mechanism (‘NRM’) that applies to all victims and that has a dedicated child-specific NRM. The core provisions of the NRM (identification, assistance, and support) must be placed on a statutory footing.
- ▶ That the State urgently develops and agrees a new National Action Plan on Human Trafficking with clear timelines and progress indicators, including training commitments, in line with best practice for strategic action documents.



- ▶ The new National Action Plan must align with, and include reference to, other relevant strategic plans adopted – including the National Strategy on Domestic, Sexual & Gender-Based Violence and the National Action Plan against Racism.
- ▶ The new National Action Plan must incorporate concrete actions to strengthen the gender-specific approach to services. In particular, the urgent need for safe, gender-specific accommodation.
- ▶ To strengthen the non-prosecution of victims of trafficking for crimes they were compelled to commit while trafficked.
- ▶ To establish practical avenues for compensation that are available to trafficking victims of all forms of exploitation.

The report was launched in June at an online conference, which attracted input by key experts in the national and international arena, such as the EU Anti-trafficking Coordinator, the Organization for Security and Co-operation in Europe Special Representative on Human Trafficking, the Executive Secretary of the Council of Europe GRETA, the Department of Justice, An Garda Síochána, the Directorate for Public Prosecution, experts from the main anti-trafficking civil society organisations and legal experts. The launch featured thematic workshops and highlighted inputs by survivors of human trafficking.

Review of the EU Anti-Trafficking Directive

We contributed to the review of the EU Anti-Trafficking Directive. We recommended the expansion of the EU human trafficking definition to include novel forms of trafficking, such as forced marriages and illegal adoptions; provision for inclusion of the digital dimensions of human trafficking; and a binding provision regarding the criminalisation of users of services extracted from trafficked victims.

Finnish Non-Discrimination Ombudsman and
National Rapporteur on Trafficking Kristina
Stenman and Head of Anti-Trafficking Unit
Dr. Nusha Yonkova



Fourth Progress Report on the Fight against Trafficking in Human Beings in the European Union

We submitted our first “Contribution to the Fourth Progress Report on the Fight against Trafficking in Human Beings in the European Union”. We welcomed the increased funding by the State to frontline support organisations, investments in awareness raising, and the first successful human trafficking convictions, however, we emphasised our continuing serious concerns about the lack of specialised shelter for victims of trafficking. We will be producing similar contributions every two years, as required by the Directive.

Positive developments

We had some notable positive developments over the course of the year. Ireland was singled out as a good practice example of formally including Civil Society Organisations in the proposed law establishing National Referral Mechanism for Identification of victims of trafficking in the European Commission's Fourth Progress report.

We also note the upgrading of Ireland from the Tier II Watch List to the improved ranking of Tier II, in the US Department of State Trafficking in Persons report. Our statement on the occasion welcomed the progress made but cautioned that Ireland is starting from a low base - with key preconditions for an effective human trafficking response remaining unfulfilled, including the essential need for gender-specific accommodation for victims of trafficking. We emphasised that the need for an expedited implementation of a new National Action Plan and in the Government's prioritising a new statutory Referral Mechanism.

New National Referral Mechanism for identification and assistance of victims of trafficking

We welcomed the legislative step to establish a National Referral Mechanism for victims, which we saw as the most significant advance in the identification and assistance of victims, since human trafficking was criminalised in Ireland (in 2008). We made a Submission to the Committee on Justice on Part 3 of the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill. We noted the importance of ensuring statutory protection from prosecution for victims of human trafficking, advising that the 2008 Anti-Trafficking Act be amended to include a specific statutory defence for victims of trafficking where they have committed crimes as a direct consequence of them being trafficked. We also recommended that victims of trafficking for the purposes of sexual exploitation be afforded the same protections as victims of rape and other sexual assault offences in criminal trials.

We subsequently appeared before a special hearing of the Joint Committee on Justice on the Bill.

We also attended consultation meetings with the Department of Justice and submitted detailed feedback and recommendations on two drafts of the proposed new Third National Action Plan on Trafficking 2022-2026.

We participated in the bi-annual meetings of the EU Network of National Rapporteurs and Equivalent Mechanisms. The first focused on trafficking for labour exploitation and the digital dimension of human trafficking, while the second discussed the EU Common Anti-Trafficking Plan to protect people fleeing the war in Ukraine and the implementation of the EU Strategy on Combatting Trafficking in Human Beings (2021-2025).

In response to the war against Ukraine there were three extraordinary meetings of the EU Network of National Rapporteurs. The mass displacement of people fleeing the war creates very particular risks for trafficking, especially in women and children. We were part of timely EU-synchronised efforts to prevent the escalation of human trafficking as a collateral negative effect of the war.

[Commission Member Dr. Salome Mbugua appearing before the Joint Committee on Justice](#)



Engagement with stakeholders

This year, we prioritised our engagement with survivors of human trafficking, which is an element of best practice in current anti-trafficking efforts. We convened consultations and discussion forums with survivors of various forms of human trafficking exploitation, and facilitated their voices at the launch of our first annual report as Rapporteur in June.

We organised four consultations with civil society organisations, which were important opportunities to discuss and identify key issues faced by civil society in supporting Anti-Trafficking in Ireland, and to inform our work as National Rapporteur. In February, we organised a roundtable on 'Matters Arising in Housing Trafficked Victims'; in March, a consultation on 'War Refugees and Human Trafficking'; in July, on the key elements of a modern action plan; and in September, a consultation on current anti-trafficking developments, attended by academics and anti-trafficking organisations.

In December, the Chief Commissioner addressed a national conference, entitled *Breaking the Silence*. Organised by Ruhama and UCD Sexual Exploitation Research Programme, and supported through our grant scheme, it examined the hidden sexual violence and exploitation of women in the Irish and global sex trade. The Chief Commissioner outlined the challenges of human trafficking in the Irish sex trade by presenting our report findings. Survivors of trafficking and violence spoke about their own experiences and journeys toward recovery, highlighting the harms they experienced, and the importance of specialist support. We also participated in a panel discussion event on *Child Trafficking for Criminal Exploitation*, organised by MECPATHS, in collaboration with MEP, Maria Walsh, where we discussed the specific and currently unaddressed needs of child victims of trafficking pertaining to their identification as vulnerable victims of crime.

We continued to engage with relevant statutory stakeholders, including the Department of Justice, in their role as the National Coordinator of Human Trafficking, the HSE, Tusla, An Garda Síochána, the WRC, the International Protection Accommodation Services, the International Protection Office, the Legal Aid Board, the Ombudsman for Children's Office, and others.

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 IHREC 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 meets in person for the first time since 2020](#)



The Commission held eight ordinary plenary meetings, on the following dates: 27 January, 10 March, 21 April, 2 June, 14 July, 15 September, 27 October and 8 December.

Four extraordinary meetings also took place, to facilitate the recording of time sensitive decisions, in between the scheduled ordinary meetings. The extraordinary plenary meetings took place on the following dates: 10 May, 2 September, 9 September and 8 December.

A Schedule of 2022 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 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: 31 January, 29 March, 8 July and 23 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 16 meetings held: 20 January, 4 February, 4 March, 28 March, 11 April, 10 May, 23 May, 1 June, 4 July, 14 July, 5 September, 17 October, 28 November, 7 December, 8 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 three meetings held: 22 February, 19 May and 10 November.

Advisory Committees

Section 18 of the Irish Human Rights and Equality Act 2014 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.

In October, five new members were appointed to serve for a three-year term. All members were appointed after open competition, with the majority of the Committee being disabled people.

The role of the Disability Advisory Committee 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 the Committee has considered a range of disability rights issues, including:

- ▶ Reasonable Accommodation;
- ▶ Council of Europe Convention on preventing and combating violence against women and domestic violence;
- ▶ Review of the Education for Persons with Special Educational Needs Act; and
- ▶ Disability Advisory Committee Work Plan.

The Committee also provided input into the development of our Strategy Statement 2022-2024.

There were three meetings held: 11 May, 17 October and 5 December.

Worker Employer Advisory Committee

The Worker Employer Advisory Committee was established by the Commission in 2017 under Section 18 of the IHREC 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').

This year, the Commission, at the request of the Committee, amended the Terms of Reference of the Worker Employer Advisory Committee. The number of Ibec and ICTU nominees was expanded from four to five respectively. Increased opportunities for structured engagement with wider civil society on key employment issues through roundtable discussion is now provided for in the Terms of Reference.

At its final meeting in December, the Committee agreed the parameters of its 2023 work with a focus on supporting Traveller and Roma employment, reasonable accommodation, and a more equal workplace for people with caring responsibilities.

There were four meetings held: 5 May, 26 July, 12 September and 5 December.

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 establishment of the FELAC recognises the review as a significant opportunity to reform Ireland's equality code, and builds on our submission to the Department of Children, Equality, Disability, Integration and Youth's initial public consultation in November 2021, and the Equality ACTION project to strengthen civil society engagement with the review undertaken jointly with Free Legal Advice Centres ('FLAC').

The FELAC brings together legal, academic and civil society experts with Commission Members to assist us to identify and examine the key issues that must be addressed to build a more comprehensive and effective framework of equality legislation and supporting equality infrastructure. Commission Member Professor Caroline Fennell is the Presiding Member and Chief Commissioner Sinéad Gibney is the Vice-Presiding Member.

There were seven meetings held: 14 March, 29 April, 27 May, 29 July, 30 September, 25 November and 19 December.

Governance

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

- ▶ 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;
- ▶ Role and Responsibilities of Accounting Officers;
- ▶ Public Financial Procedures 2012; and
- ▶ 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 IHREC Act, 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 2022, the Commission had 85 staff (see Appendix 4). The National Shared Services Office 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 six sections:

- ▶ Office of the Director
- ▶ Legal
- ▶ Policy and Research
- ▶ Strategic Engagement
- ▶ Corporate Services
- ▶ Anti-Human Trafficking

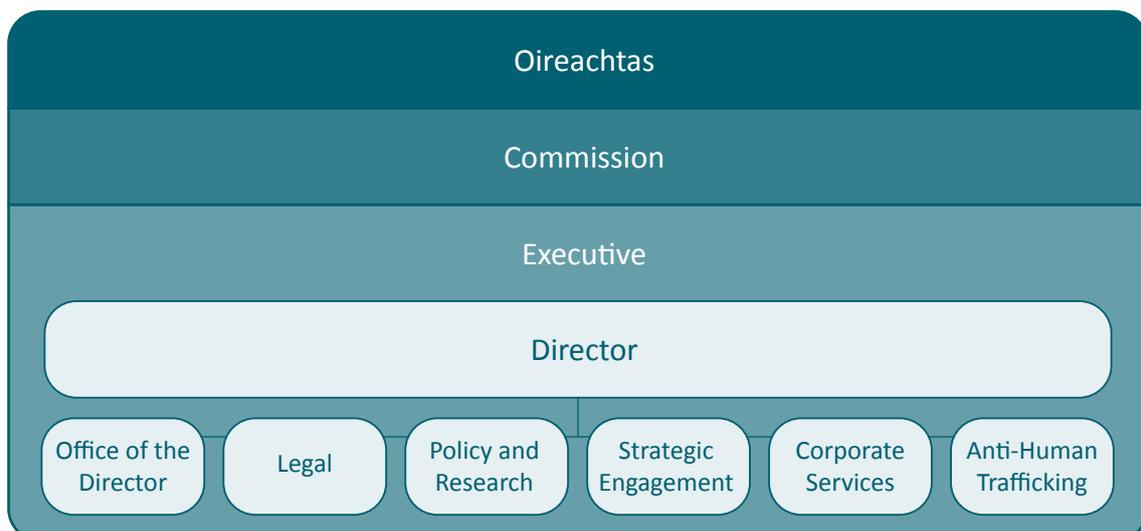
The Heads of these sections, reporting to the Director, comprise the senior management.

Senior management

Senior management at 31 December:

- ▶ Acting Director: Éimear Fisher;*
- ▶ 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.

*The previous Director Laurence Bond retired in 2022 and Éimear Fisher took up the role as Acting Director on the 19th September 2022.



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 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 2022 was submitted to the Comptroller and Auditor General for audit by the statutory deadline of 1 April 2023. As required, this included the Accounting Officer's statement on the Commission's systems of internal financial control.

The 2022 gross estimate provision for Vote 25 Irish Human Rights and Equality Commission was €7.614m of which €4.356m was allocated for pay related expenditure, and €3.258m of which was allocated to non-pay expenditure. The provisional (prior to audit) expenditure outturn was €7.610m of which €4.474m was pay and €3.316m was non-pay. At year end, a surplus of €0.024m 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 2022 – 31 December 2022.

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 2022 showed that we exceeded 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 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

We have a dedicated staff member in the role of both Disability Liaison/ Access Officer. This has enhanced the service we can offer to the public and staff members who require advice and support on matters relevant to disability.

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

Granted	6
Part Granted	4
Refused	3
Withdrawn/Held Outside FOI	0
Total	13

Types of requests

Journalist	3
Business Interest Group	4
Client	5
Oireachtas	1
Total	13

One request was refused under Section 15.1(c) as in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned.

One request was refused under section 15(1)(a) of the Act on the grounds that the records requested do not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken.

One request was refused under section 36, the release of this information may prove prejudicial to the functions and negotiations of this FOI body.

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 2022, our energy usage comprised of grid energy only.

Energy type	Consumption
Electricity	110,608 kWh
Fossil Fuels	0 kWh
Renewable Fuels	0 kWh

**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 the year to address the human rights and equality issues which have been assessed by IHREC to be relevant to its 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.

Our offices host a fully accessible events space. This space reopened in September following the Covid-19 pandemic, and commenced an upgrade to better facilitate accessible hybrid and online events.

Broadening our communication of information on rights through Irish Sign Language

In order to enhance the accessibility of our online events and videos, we use captioning as standard, and ISL where appropriate. Half of all videos for external communication were captioned with ISL in 2022, and our objective is to caption all videos with ISL in 2023.

Training in ISL (QQI Level 3) was offered to all staff.

An information session in advance of the Grant Scheme deadline was provided with ISL interpretation and will continue to be provided for future information sessions.

People with intellectual disabilities

As part of the statutory public consultation process on a draft Code of Practice on Reasonable Accommodation, we created information in easy-to-read format to better enable people with intellectual disabilities to engage with the consultation.

An Easy to Read guide was produced to explain the recruitment process to the Commission's Disability Advisory Committee.

Consideration of future actions to make information on rights more accessible to people with an intellectual disability is ongoing.

Our website

We have committed to ensuring that our website is fully compliant with accessibility standards. This will be an ongoing action over this strategic cycle. This year, we undertook significant work on improving the accessibility of our website. Over the year, we fixed approximately 1,700 accessibility issues identified by the National Disability Authority, in their role as National Monitoring Body for the EU Web Accessibility Directive. This included improving colour contrasts, adding alternative text to images, and taking down, reformatting and re-uploading over 1,400 PDFs, which were not accessible. This resulted in much improved compliance with the web accessibility guidelines and we are continuing to make improvements across the website.

Getting information on rights to groups at particular risk

We have committed to identifying and putting in place additional bespoke initiatives to ensure our information on rights is made available to groups at particular risk.

We made our information guides on the Equal Status and Employment Equality Acts available in Ukrainian. These booklets are now available in ten languages.

Our Legal team also commenced a programme of outreach to NGOs working with rights' holders to raise awareness of equality and human rights issues relevant to them, and of supports available to vindicate those rights. This programme is ongoing.

Further actions will be reported over the course of this strategic cycle.

Making information available in Plain English

Plain English training was also offered to all staff and we started work on a significant project to make our information on rights available in plain English, which will continue in 2023.

Addressing digital exclusion

As a public body which provides a service to the public, we are conscious that not everyone can access our information digitally. IHREC provides a telephone service providing information about equality rights and human rights. We also hired a Duty Service Officer to facilitate the reopening of our reception to members of the public at our offices in Green Street. Further actions to address potential digital exclusion of service users are being considered.

Working practices and equality

Civil service policies relating to flexible working practices also apply to our staff. We put in place a blended working policy for all staff in 2022. Further actions will be reported on in the course of this strategic cycle.

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

Commencing in 2022, all staff are required to complete our e-learning module on Equality and Human Rights in the Public Service. Five members of staff were sponsored to undertake a one year Professional Diploma in Human Rights and Equality in the Institute of Public Affairs.

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 – 30 July 2025

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 2012-2014 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, 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 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. He holds a Diploma in Addiction Studies from Trinity College and an M.A. in Social Policy.

Term of Office: 31 July 2020 – 30 July 2025

Adam Harris

Adam Harris is the Founder and CEO of AsIAM, Ireland's National Autism Charity. Adam founded the organisation based on his own experiences growing up on the autism spectrum. Today, AsIAM provides support to autistic 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 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 SC

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 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

Appendix 2: Attendance at Commission meetings

The Commission held eight ordinary plenary meetings. Four extraordinary meetings of the Commission also took place, to facilitate the recording of time-sensitive decisions between the scheduled ordinary meetings. Commission members receive an annual fee of €7,695.

Two members, Frank Conaty and Ray Murphy, did not receive any fee under the One Person One Salary principle.

Meetings attended:

Commission Member	Ordinary Meetings Attended	Extraordinary Meetings Attended
Sinéad Gibney, Chief Commissioner	8 of 8	3 of 4
Heydi Foster-Breslin	8 of 8	1 of 4
Jim Clarken	6 of 8	2 of 4
Dr Frank Conaty*	3 of 4	0 of 3
Professor Caroline Fennell	7 of 8	3 of 4
Michael Finucane	8 of 8	3 of 4
Tony Geoghegan	7 of 8	1 of 4
Adam Harris	6 of 8	4 of 4
Professor Kathleen Lynch	7 of 8	2 of 4
Dr Salome Mbugua	4 of 8	1 of 4
Dr Rosaleen McDonagh	6 of 8	1 of 4
Sunniva McDonagh SC	6 of 8	2 of 4
Dr Lucy Michael	6 of 8	3 of 4
Professor Ray Murphy	8 of 8	3 of 4
Colm O'Dwyer SC	8 of 8	4 of 4

* Dr Frank Conaty was on a sabbatical from Commission business January – June.

Appendix 3: Attendance at Committees

Casework Committee:

Commission Member	Meetings Attended
Colm O'Dwyer SC (Former Chair)*	14 of 16
Sinéad Gibney, Chief Commissioner	11 of 16
Professor Caroline Fennell	9 of 16
Michael Finucane (Chair)	15 of 16
Sunniva McDonagh SC	9 of 16
Dr Lucy Michael	7 of 16
Professor Ray Murphy	12 of 16

* Colm O'Dwyer's term as Chairperson concluded in November. Michael Finucane was appointed Chairperson in November.

Policy and Research Committee:

Commission Member	Meetings Attended
Dr Lucy Michael (Chair)	3 of 3
Sinéad Gibney, Chief Commissioner	3 of 3
Dr Frank Conaty	1 of 3
Professor Caroline Fennell	1 of 3
Adam Harris	1 of 3
Professor Kathleen Lynch	3 of 3
Dr Salome Mbugua	2 of 3
Dr Rosaleen McDonagh	1 of 3
Colm O'Dwyer SC	1 of 3

Audit and Risk Committee:

Commission Member	Meetings Attended
David Scott (Vice-External Chair)*	1 of 1
Jim Clarken (Acting Chair)	4 of 4
Heydi Foster-Breslin	3 of 4
Dr Frank Conaty **	1 of 2
Adam Harris	3 of 4

* David Scott's term concluded in January. ** Dr Frank Conaty was on a sabbatical from Commission business January – June 2022.

Disability Advisory Committee:

Commission Member	Meetings Attended
Dr Rosaleen McDonagh (Chair)	3 of 3
Adam Harris (Vice-Chair)	2 of 3
Sinéad Gibney, Chief Commissioner	3 of 3
Gary Allen	2 of 3
Adrian Carroll	3 of 3
Fiona Anderson*	2 of 2
James Cawley*	2 of 2
Brian Hayes	3 of 3
Peadar O'Dea*	2 of 2
Aoife Price*	2 of 2
Frank Conaty**	1 of 1
Jacqui Browne	2 of 3
Dr John Bosco Conama	2 of 3
Michelle Gaynor	2 of 3
Dr Vivian Rath	2 of 3
Michael Seifu*	1 of 2
Eliona Gjeczaj	2 of 3

* Fiona Anderson, James Cawley, Peadar O'Dea, Aoife Price and Michael Seifu joined the Disability Advisory Committee in October 2022.

** Dr Frank Conaty was on a sabbatical from Commission business January – June 2022.

Worker and Employer Advisory Committee:

Commission Member	Meetings Attended
Tony Geoghegan (Chair)	3 of 4
Kathleen Lynch (Vice-Chair)	4 of 4
Sinéad Gibney, Chief Commissioner	4 of 4
Jim Clarken	4 of 4
Ethel Buckley, SIPTU	3 of 4
Meadhbh Costello, Ibec*	0 of 1
Dr Michelle Cullen, Accenture	4 of 4
Seamus Dooley, NUJ	2 of 4
Norman Harte, Irish Rail*	0 of 1
David Joyce, ICTU	3 of 4
Dr Kara McGann, Ibec	2 of 4
Deirdre O'Connor, INTO	2 of 4
Sam Owens, Ibec*	2 of 4
Katie Morgan, Fórsa*	3 of 3
Harry Wall, Ibec*	3 of 3
Elizabeth Bowen, SFA*	1 of 3

* Norman Harte resigned from the committee in May.

* Meadhbh Costello resigned from the committee in May.

* Katie Morgan joined the committee in July.

* Harry Wall joined the committee in July.

* Elizabeth Bowen joined the committee in July.

* Vivienne Kavanagh joined the committee in July.

* Sam Owens, Ibec, replaced Dr Kara McGann, Ibec for two meetings.

Future of Equality Legislation Advisory Committee:

Commission Member	Meetings Attended
Professor Caroline Fennell, Commission Member (Chair)	7 of 7
Sinéad Gibney, Chief Commissioner (Vice-Chair)	5 of 7
Eilis Barry, FLAC	5 of 7
Professor Mark Bell, Trinity College Dublin	7 of 7
Niall Crowley, Values Lab	6 of 7
David Fennelly, Trinity College Dublin	6 of 7
Paul Ginnell, European Anti-Poverty Network Ireland	6 of 7
David Joyce, Irish Congress of Trade Unions	5 of 7
Maria Joyce, National Traveller Women's Forum	6 of 7
Professor Kathleen Lynch, Commission Member	6 of 7
Dr Rosaleen McDonagh, Commission Member	4 of 7
Darren McKinstry, Equality Commission for Northern Ireland	5 of 7
Professor Colm O'Cinneide, University College London	5 of 7
Orla O'Connor, National Women's Council of Ireland	1 of 7
Pauline O'Hare, Ibec	5 of 7
Ade Oluborode, Barrister	6 of 7
Sara Phillips, Transgender Equality Network Ireland	3 of 7
Dr Judy Walsh, University College Dublin	5 of 7

Appendix 4: Commission staff

The staff complement of the Commission as at 31 December was 85, with the grading structure as follows:

Grade	Number of staff per grade
Chief Commissioner	1
Director	2
Principal Officer	5
Professional Accountant Grade 1	1
Assistant Principal Officer	16
Higher Legal Executive	2
Higher Executive Officer	15
Administrative Officer	15
Legal Executive	2
Executive Officer	10
Clerical Officer	16
Total	85

* At 31st December 2022 our previous Director was still on the payroll as he had annual leave entitlements.

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 2022 for Vote 25 Irish Human Rights and Equality Commission was submitted to the Comptroller and Auditor General for audit by the statutory deadline of 1 April 2023.

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	
	2021	2022
60,000-69,999	3	4
70,000-79,999	4	6
80,000-89,999	1	3
90,000-99,999	3	1
100,000-109,999	-	2
110,000-119,999	2	
120,000-129,999	-	2
130,000-139,999	-	
140,000-149,999	1*	
150,000 – 159,000		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.

*Salary of the Chief Commissioner, who is excluded from staff numbers in Appendix 4.

Key management employee benefits	2021	2022
	€	€
Commission Member Fees	86,569	92,340
Salary (Including Chief Commissioner)	703,139	807,005
Allowances	-	22,430
Termination benefits	-	-
Health Insurance	-	-
Total	789,708	921,775

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	2021	2022
	€	€
Basic Pay	144,859	158,541
Health Insurance	-	-
Total	144,859	158,541

Director salary	2021	2022
	€	€
Basic Pay	118,607	142,184
Health Insurance	-	-
Total	118,607	142,184

During the period September to December, two director's salaries were paid as the retiring director had annual leave entitlements.

Consultancy costs	2021	2022
	€	€
Legal fees	-	-
Advisory	76,458	97,410
Total	76,458	97,410

Travel and subsistence	2021	2022
	€	€
Domestic travel		
Commission	177	5,042
Employees	2,083	3,326
International Travel		
Commission		7,250
Employees	1,247	11,950
Total	3,507	28,517

Legal costs and settlements	2021	2022
There were no such costs in 2022		

Hospitality costs	2021	2022
	€	€
Staff Hospitality		
Third Party Hospitality		
Total	Nil	Nil

Appendix 6: Publications

Name	Type	Date
Annual Report 2021	Corporate Publications	July
Code of Practice on Equal Pay	Code of Practice	March
Code of Practice on Sexual Harassment and Harassment at Work	Code of Practice	March
Information on the Rights of Families at Inquests	Guides and Information	May
Simplified Information on the Rights of Families at Inquest	Guides and Information	May
A Guide to the Equal Status Acts – Ukrainian	Guides and Information	September
A Guide to the Employment Equality Acts – Ukrainian	Guides and Information	September
Ireland and the International Covenant on Economic, Social and Cultural Rights	International Reporting	January
Contribution to the 4th Progress Report on the Fight against Trafficking in Human Beings in the European Union	International Reporting	March
Ireland and the Convention on the Elimination of All Forms of Racial Discrimination	International Reporting	March
Ireland and the International Covenant on Civil and Political Rights – Submission to the Human Rights Committee on Ireland’s 5th Periodic Report	International Reporting	June
Evaluation of the Implementation of the EU Anti-Trafficking Directive	International Reporting	June
Comments on Ireland’s 19th National Report on the implementation of the European Social Charter	International Reporting	July
Ireland and the Rights of the Child	International Reporting	September
Additional Submission to the Committee on the Rights of the Child	International Reporting	December
Recommendations on the Review of the Equality Acts	Legislative Observations	January
Report of a review of section 19 of the Intoxicating Liquor Act 2005 carried out pursuant to section 30 of the Irish Human Rights and Equality Commission Act 2014	Legislative Observations	February

Name	Type	Date
Submission on the General Scheme of the Criminal Justice (Hate Crime) Bill	Legislative Observations	March
Submission to the Minister for Justice on the General Scheme of the Garda Síochána (Digital Recording) Bill	Legislative Observations	April
Submission on the General Scheme of the Mental Health (Amendment) Bill	Legislative Observations	May
Legislative Submission to the Garda Síochána (Powers) Bill	Legislative Observations	May
Submission on the General Scheme of the Health (Termination of Pregnancy Services (Safe Access Zones)) Bill	Legislative Observations	October
Submission on the General Scheme of a Mother and Baby Institutions Payment Scheme Bill	Legislative Observations	October
Submission on the General Scheme of the Inspection of Places of Detention Bill	Legislative Observations	November
Submission to the Review of the Health (Regulation of Termination of Pregnancy) Act 2018	Legislative Observations	November
Submission on Part 3 of the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill	Legislative Observations	December
Submission to the Department of Social Protection's public consultation on the Roadmap for Social Inclusion: Mid-Term Review	Policy Statements and Submissions	October
IHREC response to SPHE Curriculum Consultation	Policy Statements and Submissions	October
Housing Assistance and Discrimination – A Scoping Study on the 'Housing Assistance Ground' under the Equal Status Acts 2000-2018	Research Report	April
Equality and Rights on the island of Ireland after Brexit	Research Report	November

Appendix 7: Grants

Organisation	Partner	Project Title	Summary
Irish Wheelchair Association		Think Ahead, Think Housing 2023	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.
Longford Women's Resource Group	National Women's Council of Ireland and Maynooth University	Migrant women's experience of economic inequality	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.
Irish Penal Reform Trust		Working with Conviction	The aim of this project is to undertake a study of the barriers to employment for individuals with previous convictions and whether they face discrimination in accessing decent and sufficient work which can in turn impact their right to an adequate standard of living and economic equality. It will include a specific focus on the attitudes of employers. The project aims to provide evidence to support the inclusion of a criminal conviction ground in the upcoming review of the equality legislation.

Organisation	Partner	Project Title	Summary
Family Carers Ireland		Valuing Care work: Improving Family Carers' Access to Adequate Income Supports	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.
Irish Deaf Society		Breaking Down the Barriers	The aim of this project is to conduct qualitative research of deaf adult women and men about their employment experience over the last 10 years. It seeks to break down the barriers to equal employment opportunities by identifying areas that prevent deaf people from obtaining and maintaining employment, and finding solutions that will contribute to greater economic equality, increased choice and fairness in relation to the employment.
Hygiene Bank Ireland		Understanding Hygiene Poverty	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.
Doras		Transformative Human Rights Education for Migrant & Refugee Communities	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	Partner	Project Title	Summary
Irish Refugee Council		Improving the living conditions of newly arrived people seeking international protection	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.
ActionAid	National Women's Council of Ireland	Economic Equality for Carers: A Symposium on Care	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.
Phoenix Women's Centre, Kerry		Race and Gender: An Examination of Intersectional Barriers in Employment in Rural Ireland	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	Partner	Project Title	Summary
Inclusion Ireland		Make it Work – Promote Employment for All!	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.
Irish Network Against Racism	Community Action Network	Communities Speaking Out: Minority Ethnic Leaders STAND against racism	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.
Ruhama	The Sexual Exploitation Research Centre, UCD	The sexual violence and trauma of prostitution - supporting exit pathways and ending the sex trade	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 be disseminated.

Organisation	Partner	Project Title	Summary
Gorm Media		Intercultural Training Programme to promote compliance with the Public Sector Duty	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.
All Together in Dignity Ireland		Voicing and Acting on Socio-Economic Discrimination: Taking a Human Rights Approach to Raising Awareness and Building a Deeper Understanding	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.
Community Law and Mediation		Capacity Building Training Sessions of Public Bodies' on the Public Sector Duty	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	Partner	Project Title	Summary
Disability Federation of Ireland		Building capacity on the Public Sector Duty for DFI and its Member Organisations.	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.
Cultúr Migrant Centre, Meath		Peer To Peer: Community Human Rights Platform	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 its implementation can improve access to and the experience of public services.
Inner-City Organisations Network		Applying a Public Sector Duty Approach to the Human Rights and Equality Issues identified by Service Users of Drug Treatment Services In the North East Inner City (NEIC).	The aim of this project is to apply the Public Sector Equality and Human Rights Duty approach to issues identified by service users of drug treatment projects in the North East Inner City. The project will deliver evidence based, peer led research as well as raising awareness of the Duty in a broader context through community events. The combined approach can be used to advocate for changes in legislation, policy and practice and lead to improved collaboration with duty bearers.

Organisation	Partner	Project Title	Summary
National Council of the Blind of Ireland		Your Rights Roadshow – Promoting the Public Sector Equality and Human Rights Duty	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 proposes 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.
Irish Traveller Movement		Traveller Accommodation Rights and Policy Online Hub	The aim of this project is to create an online information hub on Traveller accommodation rights and policy in order to strengthen advocacy and organising capacity, and increase awareness of the Public Sector Equality and Human Rights Duty and how it relates to improving Traveller accommodation rights for those who have had their rights systematically denied.
SAOL Project		Understanding and responding to addiction and domestic abuse in the North Inner City	The aim of this project is to carry out quantitative and qualitative research to increase evidence base on the scope and impact of addiction and domestic abuse on the North Inner City to inform and ensure that public services and supports are fit for purpose in terms of being integrated services and upholding the human rights of women who use substances and experience violence in their homes.
ASIAM		Inclusive Education in Ireland - Rights, Responsibilities and Duties	The aim of this project is to 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	Partner	Project Title	Summary
Age Action		Digital First Should Not Mean Digital Only – The Public Sector Duty and Digital Exclusion	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.
Mercy Law Resource Centre		Social Housing, Domestic Violence and the Public Sector Duty	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.
Age & Opportunity		Learning from Covid 19 – The Voice of Older People as Rights Holders	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.
Ballymun Community Law Centre		Community legal knowledge in Ballymun: education programme needs analysis.	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	Partner	Project Title	Summary
Hawkswell Theatre	HSE Training Service, National Learning Network, This Ability, Down Syndrome Sligo	SHINE – Drama Participation Programme with People with Disabilities	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.
Rialto Community Drugs Team		Development of a Service User Human Rights Charter	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.
Fatima Groups United		Fatima for ALL	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.
Disability Action Collective, Ballyfermot		The Hub – Building Advocacy Capacity	The aim of this project is to develop a Hub for people with disabilities and people who have caring responsibilities so that they can build their capacity on how to overcome barriers to access services, exchange information, participate in their community and to build awareness of the Public Sector Equality and Human Rights Duty in this regard.
Blanchardstown Traveller Development Group	Technological University Dublin (TU) - Blanchardstown Campus	Traveller access to and participation in Higher Education – What Supports Work	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.

2021-22 Grants Projects Closed

Organisation	Aims
Clare Public Participation Network	This aim of this project is for groups representing and comprised of those affected by socio-economic exclusion to collaborate together to devise an action based anti-poverty strategy to advocate effectively for the progressive realisation of social and economic rights in Clare. The strategy would be used as a framework to inform all policy submissions to the Local Authorities in Clare.
Irish National Organisation of the Unemployed	The aim of this research project is to gain a greater understanding of the impact of the stigma associated with unemployment on people's ability to exercise their social and economic rights and to engage with duty-bearers to address the issue and support unemployed people to access these rights more fully.
The Rights Platform	The aim of this project is to seek to address endemic poverty and social exclusion in four disadvantaged public housing areas in South County Dublin by developing awareness within disadvantaged communities of their social and economic rights and build community leadership to engage with duty bearers from a rights perspective.
South Leinster Citizen's Information Service	The aim of this research project is to promote equality of access to State Services and to clear, accurate and professional information, advice and advocacy services for the prison population.
Empower	The aim of this research project is to empower Roma women to act as peer researchers to identify the health issues of Roma women and children in the Fingal area in order to establish response pathways to reduce the health inequalities they experience and inform national policies and strategies.
All Together in Dignity	The aim of this project is to bring together a core group of people with lived experience of socioeconomic discrimination to produce a film about socioeconomic discrimination in Ireland through their own lens and use to advance the public campaign for the recognition of socio-economic discrimination as a ground in the Equality legislation.
Youth Work Ireland	The aim of this project is a campaign to advance the social and economic rights of young people living in Direct Provision centres by empowering them to share their stories in an animated format, advocate for themselves and seek to influence change particular in the context of the White Paper to End Direct Provision.
NASC - Migrant and Refugee Rights Centre	The aim of this project is to examine progress achieved in strengthening the economic and social rights for people seeking international protection by delivering a report, which will include an evidence-based score card monitoring the implementation of the White Paper on Ending Direct Provision.

Organisation	Aims
One Family	The aim of this project is to build capacity of parents to recognise rights infringements and discrimination in their interaction with state bodies and provide the information they need to challenge these infringements and seek appropriate support. In tandem to reduce incidence of rights infringements and strengthen the upholding of the Public Sector Duty by providing information to public sector staff on the rights and experiences of one-parent families.
European Anti-Poverty Network	The aim of this research project is to provide an analysis of the increased demand for supports to meet basic necessities as provided by the community and voluntary sector and the root causes behind a demand that has been rising and exacerbated by Covid-19.
ICTU – Irish Congress of Trade Unions	The aim of this project is to build trade union capacity to integrate a gender perspective into all negotiations and collective agreements, ensuring the implementation of pay transparency measures that contribute to tackling the gender pay gap.
Sage Advocacy	The aim of this project is to establish and consolidate an Observatory on rights-based long-term care to influence policy and public discourse about long-term care. Its purpose is to influence the proposed Commission on Care to ensure that the social and economic rights of people in long-term care including old people are central to its deliberations. An output will be a Good Practice Guide based on participatory approaches to inform policy related to long-term care.
Mayo Travellers Support Group	The aim of this project is to invite discourse between all communities on equality for all. By training members of the Traveller community in presenting and producing, they will have the means to produce their own radio shows. The goal is to give Travellers agency and the ability to create new spaces where their voice can be heard and cross-community dialogue can occur.
LGBT Ireland	The aim of this peer research project is to unveil the isolation experienced by LGBT+ Travellers and Roma due to a fear of/experience of homophobic, biphobic, transphobic discrimination and attitudes within their own ethnic communities. It will explore and make visible the experience of exclusion and marginalisation of LGBT+ ethnic minorities due to a fear of/an experience of racism within the mainstream LGBT+ community and services and will also inform policy and service delivery.
Travellers of North Cork	The aim of this project is to promote the accountability of public sector bodies regarding their statutory obligations to ensure non-discrimination against members of the Traveller Community by producing an evidence-based analysis of the implementation of the public sector duty and how the specific needs of the Traveller Community have been incorporated into public services.

Organisation	Aims
Cultur Migrant Centre, Meath	The aim of this training project is to build the capacity of migrant community group leaders to challenge racism and Islamaphobia, promote intercultural understanding in their local schools and communities and be peer human rights mentors that can support their respective groups to advocate for change.
Foróige	The aim of this project is for young people of minority ethnic backgrounds from North Dublin to organise an event to promote the findings of research they carried out to an audience of influential decision-makers to have their voices heard on racism, inequality, inclusion and integration.
SHEP – Social and Health Education Project, Cork	The project aims to progress the rights of people with intellectual disabilities by empowering them to advocate for their rights and to have a voice in decisions about the medication prescribed to them. It will also place human rights and equality at the heart of a dialogue with professionals and service providers in relation to the implementation of the Assisted Decision-Making (Capacity) Act 2015, the National Consent Policy and best practice in prescribing, reviewing, monitoring, adjusting and de-prescribing medication.
Acquired Brain Injury Ireland	The project is an advocacy campaign that puts the voice of brain injury survivors at its core and aims to empower them with the tools to advocate for their right to access essential rehabilitation services and to influence public policy and increase State provision for rehabilitation.
Inclusion Ireland	The aim of this project is to build the capacity of people with intellectual disabilities to be media spokespersons on issues that affect them. In tandem, it will develop a code of practice for journalists and broadcasters on interviewing people with intellectual disabilities, as well as a guide for people with intellectual disabilities themselves, to support them in navigating media interviewing.
Ability West	This research project aims to give a voice to the experience of persons with an intellectual disability in Galway City and County who seek access to residential services. It will highlight a human rights and equality perspective to access to supported living, and housing, from the viewpoints of people with an intellectual disability as rights holders and their family networks as rights holders.
Irish Penal Reform Trust	The aim of this research project is to scope the need for a national policy advocacy strategy to promote the rights of people with disabilities detained in secure forensic mental health facilities in Ireland.

2020-21 Grants Projects Closed

Organisation	Aim
Children’s Rights Alliance, Dublin	This project aims to carry out a baseline action research to establish what children and young people know about their rights, determine the best ways to educate them about their rights, with a focus on: children in care, children with disabilities, migrant/refugee children, LGBTI+ children and children in conflict with the law. Its findings will inform the development of human rights education programmes, the next National Children’s Strategy and Ireland’s forthcoming review under the UN Convention on the Rights of the Child in 2021.
Dolphin House Community Development Association	This project aims to facilitate a meaningful process of informed resident engagement in the ongoing physical and social regeneration of Dolphin House with the purpose of empowering residents to frame their issues in human rights terms and offer leadership and create a unified community voice to engage with Dublin City Council on the next phase of regeneration.
Laois Traveller Action Group and Offaly Traveller Movement, Longford Community Resources Ltd, Meath Primary Health care, Westmeath Community Development Primary Healthcare	Travellers Connecting for Better Service is a collaborative project, funded in 2019, that is developing the capacity of Travellers in five counties to facilitate modules on Cultural Awareness and the Health Inequalities to services and agencies such as the HSE. These modules will highlight the disparities in Traveller Health and allow services to become more aware and build cultural competency in relation to service delivery and access to information.
All Ireland Institute of Hospice and Palliative Care (AIHPC), and University of Limerick, Health Service Executive, Mental Health Commission	The research project aims to give voice to nursing home residents, their families and care workers in relation to their experience and expectations of palliative care to ensure that any changes to palliative care policy, especially due to Covid-19, will be informed and shaped by the needs and perspectives of rights holders. It will also educate and inform policy makers, service providers, healthcare professionals, the public and specifically people living in nursing homes, their families and care workers on their rights in relation to palliative care during a pandemic.
Nursing Homes Ireland	
Irish Hospice Foundation, Age related Healthcare Department	
Tallaght Hospital	
Medicine for the Elderly	
St Vincent’s Hospital	

Organisation	Aim
Exchange House, Dublin and Limerick Community Development Project, and Paul Partnership	This projects aims to build the capacity of Travellers in Limerick to organise themselves in a sustainable way and develop the knowledge and leadership skills to advocate for their rights and support others to do so. This will be achieved through a series of human rights and equality training sessions and advocacy workshops with Limerick Traveller Women’s Group and Limerick Travellers Network.
Blayne Blades Women’s Group, Castleblaney, Co Monaghan	This project aims to enable and empower older women and migrant women, through workshops, to name and address issues that affect them within a human rights and equality framework, understand their rights, identify solutions to issues and engage with local duty-bearers, in the context of the Public Sector Equality and Human Rights Duty at a seminar, to bring about change.
The Federation of Irish Sport, and UNESCO Chair and Munster Technological University, SARI – Sport Against Racism Ireland, Gaelic Athletic Association (GAA), Central Statistics Office (CSO) and Sport Ireland	This project aims to support and build the capacity of rights-holders, to advance their access to rights in and through sport, in particular groups facing barriers to participation in sport including women, people with disabilities, members of the Traveller community, migrants, minority ethnic groups, members of the LGBTQI+ community, and people who are socially disadvantaged. It aims to increase understanding among duty bearers - state actors, the sports sector and grassroots sporting organisation - of sport as a human rights and a tool for human rights promotion and implementation in the context of the Public Sector Equality and Human Rights Duty.
Kenmare Community Development Association and Disability Equality Specialist Support Agency	The aim of this project is carry out participatory research with parents and children to identify barriers to accessing mainstream education in the Greater Kenmare area, it will complemented by workshops to build the capacity of rights-holders to understanding their rights under human rights, disability and equality law and be empowered to engage with local schools and the education system.
The Alzheimer’s Society of Ireland	This project led by the Irish Dementia Working Group (IDWG) supported by The Alzheimer Society of Ireland, aims to empower people living with dementia to know what human rights are and to make those rights real and applicable in their lives. The project will build the capacity of the IDWG members to facilitate awareness sessions for their peers living with dementia. It will build on the advocacy work of the group and offer a unique opportunity for people living with dementia to understand human rights.

Organisation	Aim
Irish Refugee Council, Dublin and Spirasi	This project aims assess the barriers that people seeking international protection face in accessing their rights and accessing justice, documenting those barriers in the context of relevant international human rights law. It will be guided by an advisory committee of people seeking international protection and refugees with recent experience of the international protection process and also act as peer facilitators. The project report will provide an evidence base.
One in Four	The project aims to create a forum of victims/survivors of child sexual abuse where they can grow their capacity to articulate the challenges that victim/survivor stakeholders face within the criminal justice system and provide a platform to influence legislation and policy development, affect positive change and increase accountability of duty-bearers.
Waterford Intregation Services	This project aims to build the human rights capacity of migrant community leaders, including people seeking asylum, and local authority frontline staff working in housing services through a training for trainers programme, leading to the better delivery of housing services within the context of meeting the requirements of the Public Sector Equality and Human Rights Duty.

Appendix 8: Your Rights data

Protected Ground	Equal Status Acts	Employment Equality Acts	Intoxicating Liquor Act	Total
Age	32	28	11	71
Civil Status	6	3	1	10
Disability	169	90	6	265
Family Status	11	7	0	18
Gender	33	37	1	71
Housing Assistance	28	Not applicable	Not applicable	28
Race	64	28	3	95
Religion	3	2	0	5
Sexual Orientation	5	3	0	8
Traveller Community	12	2	4	14
Ground not stated	39	33	4	76
Total	398	233	29	661

Human Rights Topics	Queries
Homelessness/Social housing & Living conditions	67
Inhuman and Degrading Treatment and Punishment. Prohibition of Torture - Art 3	7
Unlawful detention/ Conditions of detention (prisons, other institutions)	13
Historical Institutional Abuse	11
Administration of Justice/Fair procedures/ Fair trial - Art 6/ Effective investigation	26
Private, Family Life, Home and Correspondence - Art 8	30
Right to Life - Art 2/Right to Death	6
Freedom of Thought, Conscience and Religion - Art 9	1
Freedom of Expression - Art 10	5
Rights relating to Health, and Bodily Integrity	53
Freedom of Assembly & Association - Art 11	0
Freedom of Movement	8
Asylum and Immigration	93
Equality/Non-discrimination - Art40.1/Art 14	1
Children's Rights	11
Protection of Property	1
Prohibition of Slavery and Forced Labour - Art 4	0
Right to Education	9
Right to work/Decent work	47
General /Misc.	36
Total	425



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

