

Strategy Statement 2022–2024



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

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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

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Our strategic priorities for 2022 to 2024



Economic equality

We will seek greater economic equality in housing, employment, income and for carers.



Justice

We will defend access to justice and the rule of law in the international protection system, in the courts and in the use of public powers.



Respect and recognition

We will promote the eradication of racism, ableism, ageism and sexism through public understanding and State action.



Futureproofing

We will respond to crises that threaten rights and equality, including the COVID-19 pandemic and climate change.



Public Sector Duty

We will encourage, report on and enforce the compliance of public bodies.

Foreword

I took up the role of Chief Commissioner in August 2020, and it's my honour to now present to you the third Strategy Statement of the Irish Human Rights & Equality Commission, covering the period 2022 to 2024.

Myself and my fellow Commissioners have worked to ensure that, in bringing forward this strategy, we take into account the views of stakeholders and arrive at a set of priorities that live up to our mandate to protect and promote human rights and equality in Ireland and to promote a culture of respect for human rights, equality and intercultural understanding in the State.

That statutory mandate, broad as it is, challenges us as an organisation on an ongoing basis. There are so many issues in society that impact on people's human rights and equality. Those issues affect different groups in our community to different degrees and in different ways. And so, we work hard to ensure that we're always making the right call on where to focus our finite resources to deliver the greatest impact. The voice of those most impacted always guides us in this endeavour.

Which is why it's so important to use the strategic planning period as a time to take stock, reflect on those issues, the input of different groups and where we are as a country, a society and as an organisation.

IHREC is now seven years old, is well established as the National Human Rights Institution and the National Equality Body, and has a substantial body of work to reference and build on. We are confident and clear about our obligation to provide both a crucial mechanism to hold the State to account and a strong asset to the State in the form of human rights and equality expertise that can inform and guide policy making.

In the broader context of Irish society, we face some of the biggest human rights and equality challenges in recent times. The pandemic has affected us all, and has been particularly harsh on already marginalised groups. The true rights and equality impact of Brexit has not yet been felt, and the global climate crisis and national housing and homelessness crisis both rage on.

This Strategy Statement identifies the following areas which we believe deserve to be prioritised within the context of our work.

- » Economic equality: We will seek greater economic equality in housing, employment, income and for carers
- » Justice: We will defend access to justice and the rule of law in the international protection system, in the courts and in the use of public powers
- » Respect and recognition: We will promote the eradication of racism, ableism, ageism and sexism through public understanding and State action
- » Futureproofing: We will respond to crises that threaten rights and equality, including the COVID-19 pandemic and climate change
- » Public Sector Duty: We will encourage, report on and enforce the compliance of public bodies.

I offer my sincere thanks to all who contributed to the creation of this strategy. And to all who continue to support the Irish Human Rights & Equality Commission in our ongoing work to protect and promote human rights and equality in Ireland.

Sinéad Gibney
Chief Commissioner

Who We Are

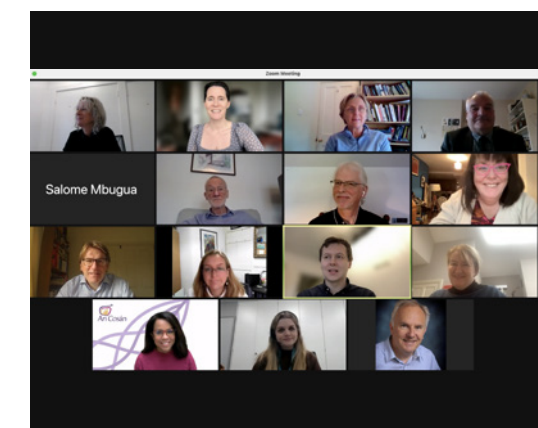
Our staff is made up of people who are passionate about human rights and equality, and how they can be forces for good in shaping an inclusive and just society. They have come to IHREC from across the public sector, from civil society and from the legal and corporate sectors. Some have been around since our foundation in 2014. As of 1 January 2022, we employ 72 Staff in five different teams, Legal, Policy & Research, Strategic Engagement, Corporate Services and Anti-Human Trafficking.

Our Director, Laurence Bond, leads the staff, delivering on a challenging and demanding programme of activities. The Director is responsible for delivery of the strategy once it has been signed-off by the Commission. He is also the Accounting Officer for the annual IHREC Vote.

The fifteen members of our commission are appointed by the President, Michael D. Higgins, and have served on the Commission for varying lengths of time. They bring a range of crucial expertise, including lived experience, and guide the work of IHREC by setting the strategic course and overseeing the programme of activities that respond to it.

The Chief Commissioner, Sinéad Gibney, is the only full time member of the Commission. She chairs the Commission's plenary meetings, supports and supervises the Director, and acts as the primary spokesperson for IHREC.

The governance set up of a body like ours has a complex structure, allowing for a high level of independence, crucial for the effectiveness of our work. The Chief Commissioner and the Director work together to provide a bridge between the staff and the Commission and to maintain that independence and effectiveness.



Our Vision

An inclusive Ireland where human rights and equality are respected.

Our Mission

To protect and promote human rights and equality in Ireland.

Our Values

Our values define how we approach our work, how we work as a Commission and how we engage with people living in this State. We believe that our values are key to our culture, and critical to our performance as an organisation.

Non-Discrimination and Equality

We commit to supporting people who face the greatest barriers to justice as part of human rights and equality protection for all.

Respect

We build respect and trust by valuing the contribution and initiative of everyone within our organisation and those we work with. Respecting the trust placed in us, we conduct our work to the highest professional standards.

Independence

We value our independence and act, where others cannot always do so, in furtherance of human rights, equality and intercultural understanding. We take action based on the highest quality evidence and robust decision-making.

Accountability

We are fully committed to the values of openness, transparency and accountability to the people and to the Oireachtas.

Participation

We recognise the personal autonomy and self-determination of all rights holders and duty-bearers. We are committed to hearing and learning from others' perspectives.

Responsive

We are responsive to opportunities to advance our mission, and we ensure that our governance, resources, and ways of working support this approach.

Collaborative

We collaborate across and beyond the organisation so that we act promptly and effectively.

Our Core Work

IHREC is a National Human Rights Institution and a National Equality Body, and we have a range of governance sources informing how we operate – our founding IHREC Act 2014, the UN Paris Principles, EU legislation and standards for equality bodies, domestic and international governance and compliance standards. Furthermore, seven years into existence, we are expanding our mandate and taking on new roles and responsibilities which naturally fall to a body such as ours.

As a result, there is a core range of work ongoing at any time to ensure that we fulfil these obligations. These are detailed in our annual reports, but are outlined here to provide the context for this cycle of strategic priorities.

Our **legal** work ranges from providing information to individuals on their rights, legal assistance to individuals, tackling discriminatory advertising and acting as *amicus curiae* (friend of the court) and third party intervener. We have a range of **enforcement and compliance** functions, whereby we review and set action plans to address the shortcomings of organisations, both public and private, in their obligations under equality law. We also have the power to take cases in our own name and perform inquiries into serious human rights and equality issues.

Our **policy** activities include reporting to international treaty monitoring bodies on Ireland's adherence to the various human rights treaties the State has signed and ratified. Domestically, we monitor legislation and provide observations to the Oireachtas on the human rights and equality implications of developing and existing legislation. Our **research** programmes contribute to existing knowledge and understanding of human rights and equality, and identify emerging issues.

Within our **strategic engagement** work, we issue grants to support civil society and rights holders, raise public awareness of human rights and equality issues through ongoing communications, campaigns and events, and engage with a range of key stakeholders to influence policy and decision making in the State. We also undertake activities to support full implementation of the Public Sector Equality and Human Rights Duty ('the Duty'), primarily as support, education and guidance to relevant bodies but moving towards enforcement.

We work along with the Northern Ireland Human Rights Commission (NIHRC) in the **Joint Committee**, as set out in the Belfast Good Friday Agreement. In the wake of the UK's withdrawal from the EU, we now also comprise the **Article 2(1) Working Group** of the Dedicated Mechanism, along with the NIHRC and the Equality Commission Northern Ireland (ECNI). This group deals with any arising all-island issues, as set out in Article 2 of the Ireland / Northern Ireland Protocol.

We've recently been appointed as the **Independent National Rapporteur on the Trafficking of Human Beings** and in this capacity we monitor and report on the State's activities in this area. We also have **designate monitoring roles** for both the **Convention on the Rights of Persons with Disabilities** and the **Convention Against Torture**. Our staff and Commissioners represent IHREC on a range of working groups and monitoring committees in Ireland, Europe and globally.

We ensure that our organisation is well run with a range of **corporate services** functions including procurement, human resources, funding and financial management, and information technology. While these functions remain largely out of the public eye, they are the backbone of a growing and evolving organisation, and critical to our independence and effectiveness.

STRATEGIC PRIORITIES

Economic equality

We will seek greater economic equality in housing, employment, income and for carers

Justice

We will defend access to justice and the rule of law in the international protection system, in the courts and in the use of public powers

Respect and recognition

We will promote the eradication of racism, ableism, ageism and sexism through public understanding and State action

Futureproofing

We will respond to crises that threaten rights and equality, including the COVID-19 pandemic and climate change

Public Sector Duty

We will encourage, report on and enforce the compliance of public bodies

In multiple areas, these priorities reinforce each other and advance our long-term goals. Consequently there are actions under one priority that we anticipate will be of significant value to achieve objectives of other priorities. We will develop multi-annual workplans for each of these priorities and report on our progress in our Annual Reports.

STRATEGIC PRIORITY 1:

Economic equality

Economic inequality affects all marginalised groups and prevents the realisation of many fundamental rights. Reducing this gap is crucial for social cohesion, social inclusion and improving the quality of life for those experiencing or at risk of poverty. In particular, the protracted housing, homelessness and accommodation crisis is now impacting everyone in Irish society.

To contribute to greater economic equality and advance the realisation of housing as a human right, our objectives are:

- » Improved protection of the poorest and those experiencing vulnerability so that they are able to live with dignity and in economic security, whether working or in receipt of welfare or a pension
- » Greater recognition of the economic and social value of care as a form of work, including family and community caring, ensuring that family carers do not suffer financial loss due to their family care work
- » Improved equality of access to appropriate and adequate housing and accommodation, in particular for groups facing high or systemic barriers
- » Improved equality of access to decent work, in particular for groups facing high or systemic labour market discrimination and barriers

We will achieve our objectives through:

Engagement and communications that highlight violations and inequalities and influence the development of policy

- » Promote the principle and practice of a living wage and adequate welfare incomes
- » Seek the development of a National Action Plan for Care, and support this through promoting recognition of care, socially and economically, as a central value in Irish society
- » Influence policy and expenditure on appropriate and adequate housing that responds to the needs of specific groups, and take legal cases that vindicate the right to housing

Challenging and changing policies and laws that exacerbate income and wealth inequalities in Ireland

- » Address legislative and policy gaps for the establishment of a Living Wage
- » Seek the index-linking of all welfare payments
- » Seek to enshrine in law the right to collective bargaining
- » Promote the introduction of a new socio-economic status ground in equality legislation
- » Improve visibility of data to monitor progress in the reduction of poverty, and of wealth and income differentials

Strengthening legislation and addressing gaps

- » Strengthen equality legislation, including through participation in the Government review process, and increase awareness of rights under equality law
- » Equipping individuals to better vindicate their rights under equality law

STRATEGIC PRIORITY 2:

Justice

All persons and authorities within the State should be equally bound by and entitled to the benefit of laws publicly made and administered in the courts. Human rights, democracy, access to justice and the rule of law are mutually reinforcing and NHRIs are key partners in their maintenance. In particular, the global immigration crisis requires domestic attention on international protection, visas, and citizenship.

To defend access to justice and rule of law, our objectives are:

- » Deficits in access to justice are reduced through increased assistance to vindicate rights, with effective remedies before the Courts, the Workplace Relations Commission and the immigration system
- » Elimination of the chronic administrative delays in the international protection system, citizenship and visa decision making and the end of Direct Provision
- » Public powers take action within constraints set out by law and in accordance with the values of democracy and fundamental rights; and that principles of accountability, effective judicial review, and no arbitrary exercise of executive power are upheld

We will achieve our objectives through:

Monitoring and reporting

- » Keep the State's COVID-19 response under active review
- » Through our work with the ECNI and the NIHRC, monitor the human rights and equality impact of Brexit on the island of Ireland
- » Monitor the implementation of the White Paper on Direct Provision
- » Monitor the exercise of police powers, and all forms of executive detention or restraints on liberty and coronial law, having regard to the State's legal obligations, including under the ECHR

Strengthening legislation and addressing gaps

- » Address legislative gaps such as hate crime, spent convictions and racial profiling
- » Propose changes to the legislative framework that underpins investigations into State wrongdoing
- » Propose changes to the International Protection legislation relating to family reunification

Equipping individuals to better vindicate their rights

- » Assist and enable people to vindicate their rights in the Workplace Relations Commission and the Courts
- » Seek the introduction of vulnerability assessments for asylum seekers
- » Broaden access to legal aid
- » Seek effective remedies and appeals in immigration and citizenship decisions
- » Encourage resettlement and humanitarian assistance programmes

STRATEGIC PRIORITY 3:

Respect and recognition

A society cannot be inclusive or fair without addressing: the structural and institutional arrangements, practices, policies and cultural norms, which have the effect of excluding or discriminating against individuals or groups based on their identities. We must also acknowledge the intersectionality between diverse identities.

To promote the eradication of racism, ableism, ageism and sexism, our objectives are:

- » Improved public understanding of the prevalence and impact of racism, ableism, ageism and sexism in Ireland
- » Full implementation of the National Action Plan Against Racism especially with strong accountability
- » Creating momentum for increased action by public bodies and others to address racism, ableism, ageism and sexism

We will achieve our objectives through:

Engagement and communications that raise public awareness of racism, ableism, ageism and sexism including on-line

- » Partner with civil society bodies to communicate case studies of racism, ableism, ageism and sexism in workplaces, education and other settings
- » Conduct and publish a detailed examination of racism against Travellers and Roma

Monitoring and reporting

- » Promote legal and policy processes to examine and address institutional racism, ableism, ageism and sexism across public and private bodies
- » Seek improved collection and dissemination of disaggregated data by the State
- » Propose a framework for the examination of institutional racism in a public body

Strengthening legislation and addressing gaps

- » Secure adoption of the Optional Protocol to UNCPRD independent of other legislative timelines
- » Promote UNCPRD compliant legislative reform

STRATEGIC PRIORITY 4:

Futureproofing

Particular groups have been disproportionately impacted by the COVID-19 pandemic and climate change. There is a need to assess the impact and improve the data available, provide direct assistance, and compel improved protective measures from the State. The climate crisis also threatens to have an unequal impact on society.

To respond to crises that threaten rights and provide equality and human rights assistance to those most affected, and identify protective measures to forestall equality and human rights abuses in the event of future crises, our objectives are:

- » Assessment of the impact of the pandemic on vulnerable groups, in particular on those living in congregated settings, those living in substandard / inappropriate accommodation, and people who are digitally excluded
- » Assistance to those most affected by the pandemic to enable them to vindicate their human rights and have the inequalities experienced due to the pandemic addressed systematically
- » A just transition to a sustainable economic future
- » The adoption by the State of preparatory measures to protect vulnerable groups in future crises

We will achieve our objectives through:

Engagement and communications with vulnerable or voiceless groups and individuals

- » Establish mechanisms for giving a voice to those who were voiceless during the pandemic
- » Deepen the dialogue between IHREC and those groups most adversely affected by the pandemic, and understanding their needs in the event of future crises

Monitoring and reporting

- » Monitor and comment on the number of people living in institutional settings, the number living in substandard or inappropriate accommodation, and the number of people who are digitally excluded

Developing policies and programmes

- » Define how the State should prepare to protect vulnerable groups in future years, in future pandemics or analogous situations

STRATEGIC PRIORITY 5:

Public Sector Duty

Implementation of the Duty is still limited and fragmented. To address the experiences of many in their treatment by public bodies there is a need to both promote positive actions to fulfil responsibilities and to act on non-compliance.

To enhance the role of the Duty in the conduct of public bodies and in the execution of their functions, our objectives are:

- » A stronger Duty with effective enforcement mechanisms
- » Greater awareness in civil society, and in the public generally, of the function of the Duty and how it can improve access to and experience of public services
- » A heightened understanding and acceptance by Government Departments and Public Sector Bodies of their responsibilities with regard to the Duty

We will achieve our objectives through:

Monitoring, reporting and enforcement

- » Make recommendations to Government on enforcement mechanisms and supports for implementation
- » Conduct a review under Section 42(7) of the IHREC Act and where considered appropriate make recommendations to Government on amendments to the IHREC Act to include enforcement mechanisms
- » Develop systematic and proactive monitoring of Public Bodies and publish compliance statistics

Developing policies and programmes

- » Establish procedural policies within IHREC for the exercise of the powers in relation to non-compliance
- » Development of a 'Code of Practice' for Public Bodies to guide actions to comply with the Duty, in particular in the provision of public services and in the licencing and regulation of activities in the State

Engagement and communication

- » Invite Government to establish an expert unit on the Duty to advise departments on implementation and enforcement and to coordinate professional education across government on the Duty
- » Engage in consultation with rights holders directly and through civil society organisations towards the promotion of the Duty and in gaining an understanding of broader views as to its functionality

Strengths

The Irish Human Rights and Equality Commission has a range of distinctive competencies and strengths on which we will build as we implement this Strategy.

Collaboration and participation

‘Nothing about us without us’ is a mantra that reminds us to constantly listen to and meaningfully involve those who are most affected by the issues we address. Over the lifespan of this strategy, we will:

- » Seek, include and value lived experience as a crucial expertise that informs our work
- » Work with stakeholders to frame issues to be addressed and, where appropriate, support implementation of policy change
- » Work in an inclusive way and apply the power of networks. We have productive relationships with a range of stakeholders, nationally and internationally. These relationships help in developing and progressing a shared approach to issues and opportunities
- » Actively engage with our stakeholders to communicate the role, remit and ambition of IHREC and maintain high levels of participation in all areas of our activities

Our people, our culture and our communications

The culture of an organisation can support its strategy or work against it. Our people are core to the success of IHREC and the pursuit of our mission. Over the lifespan of this strategy, we will:

- » Place a high priority on the continued development of our people in line with our organisational need
- » Support the achievement of desired outcomes by getting our messages to the right people in the right way and at the right time
- » Devote time to understand our stakeholders’ requirements and deliver our messages to them in the most effective way possible
- » Constantly ask “how can we do this better?”

Appropriate resources and governance

Over the lifespan of this strategy, we will:

- » Establish long-term vision setting as an ongoing activity in IHREC
- » Develop an informed workforce, financial and capital models that meet the needs of our changing organisation and which ensure we have sufficient resources to deliver our functions
- » Work to ensure the appropriate resources and systems are in place to deliver on our roles and responsibilities and support organisational growth, including those areas where additional expertise is needed
- » Ensure our organisational structure supports the delivery of our strategic objectives and our statutory functions

Section 42 Statement

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.

Under this statutory Public Sector Equality and Human Rights Duty every public body is required to set out in its strategic plan an assessment of the human rights and equality issues it believes to be relevant to its functions and purpose, and the actions it is taking or proposes to take to address those issues.

For the Irish Human Rights and Equality Commission the protection and promotion of human rights and equality, and the elimination of discrimination, are core to our functions and purpose and this Strategy Statement as a whole sets out how we propose to give effect to this mandate, in line with the Duty. Importantly, the Public Sector Equality and Human Rights Duty also applies to how a public body carries out its work. For the period of this Strategy Statement 2022-2024 therefore we have identified a number of additional priorities to meet our Section 42 obligations in our approach to the delivery of our services and in relation to our staff and our role as an employer.

Progressively increasing the accessibility of our services will continue to be a central objective for us over the next strategic

cycle, as will positive action to engage diverse minority groups who could benefit from our services. In order to advance this goal we will prioritise proactive promotion and communication of information on the Commission and on equality and human rights to those groups that are most at risk of rights violations. This will include broadening our communication of information on rights through Irish Sign Language as well as through a wider range of other languages, in addition to English and Irish. We will also develop our rights information in easy to read formats for people with intellectual disabilities and we will proactively put in place additional bespoke initiatives to ensure our information on rights is made available to other groups at particular risk. More generally to ensure better communication with marginalised groups we will develop and implement a plain English policy for the organisation as a whole, which will be supported by systematic further training for staff to develop their competence and confidence in this area.

The COVID-19 pandemic has brought about a shift to greater online delivery of our activity – in areas such as provision of information as well as for meetings, consultations and events – and it is anticipated that online delivery will continue to play an enhanced role throughout and beyond the pandemic. While overall this move can be beneficial to our work and to the people we serve, it brings to the fore the risk of digital exclusion for those individuals and groups – particularly among older age groups and among people experiencing cumulative social exclusion – who have less access to digital technology and skills. We will therefore proactively develop policy and initiatives to address this issue as it potentially arises across the delivery of our services and activities. On a related issue, we will prioritise further actions to ensure accessibility for people with disabilities across all our digital

activities. This includes ensuring that our website is fully compliant with accessibility standards and that we develop specific accessibility protocols in relation to our online meetings and events and in relation to our use of social media.

As Ireland's National Human Rights Institution and National Equality Body, it is particularly important that our organisation is reflective of the diverse society we serve, insofar as that is achievable in an organisation of our size. We will continue to focus on the accessibility of our working environment for people with disabilities; consideration of work practices to take account of issues relating to family status and other equality grounds; and building capacity of management and staff to manage human rights and equality issues in the workplace. Building on this, in the strategic period 2022-2024 we will deepen our approach to workforce Equality, Diversity and Inclusion through the application of the EDI Maturity Model for Public Sector Organisations which has been developed under Action 16 of Our Public Service 2020. The Maturity Model sets out a comprehensive approach which includes: Inclusive Leadership; Diversity Data; Recruitment & Selection; Training & Professional Development; and Structures & Culture.

In considering our obligation to eliminate discrimination, and to protect and promote the human rights and equality of our staff, we have identified three thematic areas of focus. These are the accessibility of our working environment for people with disabilities; a consideration of work practices to take account of issues relating to family status and other equality grounds; and building capacity of management and staff to manage human rights and equality issues in the workplace.

We will commence reporting on actions taken to address the issues identified in this assessment in our 2022 Annual Report. However, the Public Sector Equality and Human Rights Duty is a permanent and ongoing obligation, and the Commission will continue to monitor and report on its activities in this regard.



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Irish Human Rights and
Equality Commission
**16 – 22 Sráid na Faiche,
Baile Átha Cliath, D07 CR20**
16 – 22 Green Street,
Dublin, D07 CR20

Íosghlao/Lo-Call 1890 245 245
Guthán/Phone + 353 (0) 1 858 3000
Riomhphost/Email info@ihrec.ie
Idirlíon/Web www.ihrec.ie
🐦 [@_ihrec](https://twitter.com/_ihrec)