

Submission to the Department of Social Protection's public consultation on the Roadmap for Social Inclusion: Mid-Term Review

Irish Human Rights and Equality Commission

October 2022



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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Introduction

The Irish Human Rights and Equality Commission ('the Commission') is both the National Human Rights Institution and the National Equality Body for Ireland, established under the *Irish Human Rights and Equality Commission Act 2014*. The Commission is also the Independent National Rapporteur on the Trafficking of Human Beings; awaits statutory designation as the Independent Monitoring Mechanism under the UN Convention on the Rights of Persons with Disabilities ('UNCRPD');¹ and will be assigned the role of the National Preventative Mechanism co-ordinating body under the Optional Protocol to the Convention against Torture, pending ratification. In its Strategy Statement 2022-2024, the Commission has prioritised the following areas within the context of its work: seeking greater economic equality; access to justice; futureproofing, responding to crises that threaten rights and equality; and encouraging, reporting on and enforcing the compliance of public bodies with the Public Sector Equality and Human Rights Duty ('Public Sector Duty').²

The Commission welcomes the opportunity to provide its views as part of the Department of Social Protection's public consultation on the mid-term review of the Roadmap for Social Inclusion ('the Roadmap'), and the focus on evaluating progress to date. However, we are concerned about the limited scope of the mid-term review, which focuses on existing targets and goals, rather than on identifying and addressing gaps in the current framework.³ The mid-term review must 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. It should also take account of European Union developments, including the European Pillar of Social Rights Action Plan⁴ and the 2022 European Semester

¹ The Assisted Decision-Making (Capacity) (Amendment) Bill 2021 will amend the IHREC Act 2014 to provide a statutory basis for the Commission's designation as the Independent Monitoring Mechanism under the UNCRPD.

² IHREC, [Strategy Statement 2022-2024](#) (2022).

³ In 2021, Minister Joe O'Brien noted the intention to develop future Roadmap commitments to 2025 following the mid-term review in 2022: Department of Employment Affairs and Social Protection, [Food Poverty](#), 6 July 2021. However, the Department of Social Protection has since indicated to the Commission that existing targets will not be revised or new commitments added as part of the mid-term review.

⁴ European Commission, [the European Pillar of Social Rights Action Plan](#) (2021).

process.⁵ Furthermore, the review should be informed by the Public Sector Duty and should monitor and report on progress addressing equality and human rights issues through the Roadmap and its implementation structures.⁶

The Commission notes the recognition that addressing social inclusion and the success of the Roadmap are dependent on the delivery of sectoral plans focused on improving outcomes for specific groups and across areas such as health, education and housing.⁷ However, the Commission has repeatedly expressed concerns about delays in publishing new frameworks, including the National Action Plan Against Racism, and weaknesses in implementing existing equality strategies such as *Better Outcomes Brighter Futures: National Policy Framework for Children and Young People 2014-2020* and the *National Traveller and Roma Inclusion Strategy 2017-2021*.⁸ The evaluation of the completed national equality strategies⁹ should ensure that future iterations are more effective in addressing social inclusion and support increased coordinated efforts in implementing commitments.

A coordinated and systematic approach to equality data collection is also needed given the considerable shortfalls in Ireland, and should be a priority during the remaining period of the Roadmap in line with the Government commitment to develop a national Equality Data Strategy¹⁰ and informed by the EU Equality Data resources.¹¹ This should include the

⁵ European Commission, [2022 Country Report – Ireland](#) (June 2022).

⁶ See IHREC, [Implementing the Public Sector Equality and Human Rights Duty](#) (2019).

⁷ Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), pp. 11-12.

⁸ See for example, IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp. 16-17 and IHREC, [Ireland and the International Covenant on Civil and Political Rights: Submission to the Human Rights Committee on Ireland's fifth periodic report](#) (2022), pp. 26-27.

⁹ For example, a combined evaluation of the *Migrant Integration Strategy*, the *National Strategy for Women and Girls*, and the *National Traveller and Roma Inclusion Strategy* has been commissioned with this exercise due to conclude by Q3 2022. The Department of Children, Equality, Disability, Integration and Youth has advised that the evaluation report will be published on conclusion.

¹⁰ Recommended in the OECD Scan, [Equality Budgeting in Ireland](#): 'Designing a data strategy to support equality budgeting. Such a strategy would focus on improving the extent to which official statistics and administrative data provide insights into equality gaps and assess the impact of different government interventions. Efforts should build on the existing *Open Data Strategy 2017-2020*, the *Public Service Data Strategy 2019-2023* and the work of the National Statistics Board in setting priorities' and 'The development of an equalities data strategy can further bolster the impact of equality budgeting'.

¹¹ These resources include: The European Handbook on Equality Data, Guidelines on the collection and use of equality data (2018), Guidance note on the collection and use of equality data on racial and ethnic origin (2021), Forthcoming Guidance note on the collection and use of Sexual Orientation, Gender Identity and

introduction of ethnic identifiers across public services, such as the health and housing sectors.¹² The Commission also notes the commentary from international partners and experts that the measurement of poverty often relies on limited statistical data, for example household surveys, and does not capture the full extent of the issue and its underlying causes. Further consideration of the current methodologies used is required, including longitudinal analysis, and such methodological choices concerning data collection and poverty measurement should be based on the direct participation of people living in poverty.¹³ Development of such a national equality and human rights data infrastructure will require ringfenced resources and capacity building measures.¹⁴

The Commission sets out its observations under the High-Level Goals of the Roadmap below, and is available to the Department to further discuss the information presented.

Expression, and Sex Characteristics (SOGIESC) data (2023). [Equality data collection | European Commission \(europa.eu\)](#)

¹² IHREC, [Developing a National Action Plan Against Racism: Submission to the Anti-Racism Committee](#) (2021), pp. 13, 55 and IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 98.

¹³ ENNHRI, [Applying a Human Rights-Based Approach to Poverty Reduction and Measurement](#) (2019) and O. De Schutter, [A human rights-based approach to measuring poverty](#) (January 2022). See also ATD Ireland, [The Hidden Dimensions of Poverty – International Participatory Research](#) (2022).

¹⁴ IHREC, Legislative observations on the General Scheme of the Inspection of Places of Detention Bill (2022, forthcoming).

1. Expanding the opportunity of employment

A jobless household is the most commonly reported barrier to social inclusion, making progress under this High-Level Goal essential to the overall success of the Roadmap.¹⁵ The Commission notes the views expressed at the Social Inclusion Forum 2022 that additional targeted interventions are needed for structurally vulnerable groups experiencing discrimination in the labour market.¹⁶

Barriers in the Irish labour market operate to exclude migrants and ethnic minority communities from employment opportunities. Ethnic minority communities report experiences of discrimination, racism and microaggressions when seeking employment.¹⁷ Issues such as the lack of recognition of skills, experience and education gained outside of Ireland, English language acquisition, Irish language requirements, and a lack of familiarity with the State's job culture and employment system further complicate equal access to employment for these groups.¹⁸ Positive steps should be taken to address these barriers, including through the publication, resourcing and implementation of the forthcoming National Action Plan Against Racism and updated Migrant Integration Strategy.

Despite the chronic unemployment experienced by Traveller and Roma communities in Ireland, a distinct strategy to address this issue has not been developed.¹⁹ A targeted, culturally appropriate and time-bound national positive action employment programme is needed, which includes measures to address the unemployment of Traveller and Roma women.²⁰

At the Social Inclusion Forum 2022, childcare was considered the most significant barrier to women's participation in the labour market.²¹ Research evidence has demonstrated that

¹⁵ See ESRI, [Profiling barriers to social inclusion in Ireland](#) (2018) p. i.

¹⁶ See Department of Social Protection, [Report of the Social Inclusion Forum 2022](#) (September 2022) p. 23.

¹⁷ See Malgosia Machowska-Kosiack and Maria Barry, A report on issues facing second-generation ethnic minority young people in Ireland (forthcoming).

¹⁸ See IHREC, [Developing a National Action Plan Against Racism](#) (2021) p. 44.

¹⁹ The Pathways to Work Strategy 2021-2025 contains a commitment to develop a Traveller and Roma Training, Employment and Enterprise Plan by Q2 2022, but this plan has not yet been published. See Government of Ireland, [Pathways to Work 2021-2025](#) (July 2021) p. 12.

²⁰ See IHREC, [Developing a National Action Plan Against Racism](#) (2021) p. 46.

²¹ See Department of Social Protection, [Report of the Social Inclusion Forum 2022](#) (September 2022) p. 23.

women had to reduce their working hours or take a break from paid employment during the Covid-19 pandemic, as a result of home-schooling, child and eldercare.²² The mid-term review of the Roadmap for Social Inclusion should consider the impact of the pandemic on the employment of women and other groups, and the need for protective measures for future crises and national emergencies.

²² See IHREC, [Comments on Ireland's 19th National Report on the implementation of the European Social Charter](#) (July 2022) p. 15.

2. Supporting workers and families – ensuring work pays

While the Roadmap's goal of increasing access to employment is welcome, it is essential that employment opportunities are of sufficient quality in order to address issues of social exclusion. Commission-funded research has outlined the six dimensions of decent work in Ireland.²³ These dimensions provide a useful framework for the mid-term review of progress under this High-Level Goal. Further, this research found that the Roadmap and equality strategies adopt an activation rather than a decent work approach to the employment of structurally vulnerable groups.²⁴ The impacts of the Covid-19 pandemic and cost of living crisis on decent work should also be central to the review.²⁵

The Commission's *Strategy Statement 2022-2024* seeks to promote the principle and practice of a living wage and adequate welfare incomes.²⁶ There is a need to reframe the Roadmap's policies on the National Minimum Wage in light of recent Government proposals on the establishment of a Living Wage,²⁷ and European Union legislative developments on adequate minimum wages.²⁸ Given current levels of inflation and the cost of living crisis, there is considerable scope for the creation of new commitments in this area, which should be a priority focus for the remainder of the Roadmap.

The at-risk-of-poverty rate was relied on to indicate progress under commitment 20 in the 2021 Report Card.²⁹ At the Social Inclusion Forum, Minister O'Brien recognised that statistics may not reflect lived experience.³⁰ Commission-funded research has found that structurally

²³ IHREC and ERSI, [Monitoring decent work in Ireland](#) (June 2021). The six dimensions of decent work are: access to work; adequate earnings; employee voice; security and stability; equality of opportunity; and health and safety.

²⁴ IHREC and ERSI, [Monitoring decent work in Ireland](#) (June 2021) pp125-126.

²⁵ In a national longitudinal study, 58% of 22 year olds surveyed had been in full-time or part-time employment when the pandemic struck. Almost half of those who were put on temporary layoff, or who lost their job, experienced a long-term impact on their employment quality and pay levels for the following years. See IHREC, [Comments on Ireland's 19th National Report on the implementation of the European Social Charter](#) (July 2022) p. 14.

²⁶ See IHREC, [Strategy Statement 2022-2024](#) (February 2022) p. 11.

²⁷ See Department of Enterprise, Trade and Employment, [Tánaiste outlines proposal to bring in living wage for all](#) (June 2022).

²⁸ See European Council, [Council adopts EU law on adequate minimum wages](#) (October 2022).

²⁹ See Department of Social Protection, [Roadmap for Social Inclusion 2020-2025: Report Card January 2020-September 2021 \(January 2022\)](#) p. 13.

³⁰ See Department of Social Protection, [Report of the Social Inclusion Forum 2022](#) (September 2022) p. 6.

vulnerable groups are overlooked and under-served in the Irish labour market, are more likely to have lower pay, lower security and stability in work, and are more exposed to work-related discrimination.³¹ The mid-term review should adopt an expansive and inclusive approach to measuring income adequacy and in-work poverty, considering a variety of quantitative indicators as well as qualitative data on the lived experience of structurally vulnerable groups.

Precarious and low-paid workers, including those in the gig economy, are at particular risk of long working hours and inadequate rest periods in order to make a decent living. The Roadmap for Social Inclusion refers to additional protections contained in the *Employment (Miscellaneous Provisions) Act 2018*, but does not create new commitments for the period 2020-2025.³² This should be reconsidered in the mid-term review, in light of gaps in protection in the 2018 Act.³³ A mid-term assessment of the Roadmap also presents an opportunity to investigate the heightened vulnerabilities experienced by these workers as a result of the Covid-19 pandemic and cost of living crisis.

The Commission has noted elsewhere that, other than the introduction of a general code of practice on employment status, little has been done to take proactive measures to protect employees from bogus or false self-employment.³⁴ The enactment of legislation to penalise incorrect self-employment declarations was projected for Q2 2021 but has been delayed.³⁵

These areas of concern need to be considered in the context of weak protection of collective bargaining in Ireland, which limits the ability of employees to make representations to their employer through their union on the above and other issues.³⁶

³¹ IHREC, [Developing a National Action Plan Against Racism](#) (2021) p. 43.

³² Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), p. 31.

³³ See IHREC, [Comments on Ireland's 19th National Report on the implementation of the European Social Charter](#) (July 2022) p. 17.

³⁴ See IHREC, [Comments on Ireland's 19th National Report on the implementation of the European Social Charter](#) (July 2022) p. 18.

³⁵ See Department of Social Protection, [Roadmap for Social Inclusion 2020-2025: Report Card January 2020-September 2021 \(January 2022\)](#) p. 10.

³⁶ See IHREC, [Comments on Ireland's 19th National Report on the implementation of the European Social Charter](#) (July 2022) p. 30.

3. Supporting older people – assuring their income

Progress in achieving the commitments and targets under the third High-Level Goal has been slow, with three of the seven commitments yet to be commenced as of May 2022.³⁷ In particular, commitments relating to the benchmarking of the State Pension were not progressed by the agreed deadlines in 2020. In light of the sharp rise in inflation in Ireland,³⁸ there is a need for these actions to be prioritised for the duration of the Roadmap.

Discussions of benchmarking in the Roadmap relate exclusively to the State Pension, and there is no consideration of benchmarking as an approach for the entire welfare system.³⁹ In the context of older people, it is notable that the inadequacy of fuel, telephone and electricity allowances can have a considerable impact on welfare and social inclusion which should not be overlooked. The mid-term review offers an opportunity for a reappraisal of this position, taking into account the immediate impact of the sharp rise in the cost of living on structurally vulnerable groups.

While benchmarking the State Pension is an important step towards assuring the income of older people, other pervasive issues with pension inequality exist, which are not adequately addressed in the Roadmap. These issues include the averaging system for the State (Contributory) Pension, the habitual residence requirement for the State (Non-Contributory) Pension, and the gender pension gap.⁴⁰ In assessing the efficacy of commitments under this High-Level Goal, the mid-term review should consider aspects of pension inequality which cannot be resolved by benchmarking alone.⁴¹ The Commission has previously called for

³⁷ See Department of Social Protection, [Roadmap for Social Inclusion 2020-2025: Report Card January 2020-September 2021 \(January 2022\)](#) p. 14. Commencement of these commitments cannot occur until the Department of Social Protection has responded to the Recommendations of the Pensions Committee. In May 2022, the Department was considering these recommendations. See Department of Employment Affairs and Social Protection, [Written Answers](#) (17 May 2022).

³⁸ Parliamentary Budget Office, [Inflation Issues for Ireland 2022](#) (2022) p. 2.

³⁹ See Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), pp. 39-42.

⁴⁰ See IHREC, [Submission to the Citizens Assembly in its consideration of 'How we respond to the challenges and opportunities of an ageing population'](#) (May 2017) pp. 6-7.

⁴¹ See IHREC, [Submission to the Citizens Assembly in its consideration of 'How we respond to the challenges and opportunities of an ageing population'](#) (May 2017) p. 6.

improved care services for older people.⁴² It notes the replacement and refurbishment of 31 community nursing units and long-term residential care facilities since 2016, in connection with Roadmap commitment 28.⁴³ The mid-term review should include a timeline for upgrades to the remaining 57 facilities. Urgent action is needed given weaknesses in eldercare exposed by the Covid-19 pandemic,⁴⁴ as well as research findings indicating older people's preference for receiving care in their community.⁴⁵

⁴² See IHREC, [Ireland and the International Covenant on Civil and Political Rights](#) (June 2022) p. 53; IHREC [Submission to the Citizens Assembly in its consideration of 'How we respond to the challenges and opportunities of an ageing population'](#) (May 2017) p. 8.

⁴³ See Department of Social Protection, [Roadmap for Social Inclusion 2020-2025: Report Card January 2020-September 2021 \(January 2022\)](#) p. 16.

⁴⁴ Since the onset of the pandemic, the Commission has highlighted the disproportionate impact on people resident in institutional settings such as nursing homes. Those living in residential facilities are at a higher risk of contracting Covid-19 due to the congregated nature of the setting, in combination with age, a higher prevalence of disability and underlying medical conditions, and in some cases the need for support to eat, dress and bathe. See IHREC, [Ireland and the International Covenant on Civil and Political Rights](#) (June 2022) p. 52.

⁴⁵ IHREC [Submission to the Citizens Assembly in its consideration of 'How we respond to the challenges and opportunities of an ageing population'](#) (May 2017) p. 8.

4. Supporting families and children

The Commission has repeatedly raised concerns about the ongoing systemic shortcomings in the childcare infrastructure in Ireland.⁴⁶ As the European Commission noted in its 2022 Country Report on Ireland, the market-driven nature of the sector and the low level of public funding has impacted on the affordability and quality of early childhood education and care ('ECEC').⁴⁷

Although there has been Government investment and reform in recent years, the remaining period of the Roadmap should ensure a focus on further increasing the share of GDP spent on childcare⁴⁸ and moving to a publicly funded model of childcare,⁴⁹ as recommended by both the Joint Committee on Gender Equality and the Citizens' Assembly on Gender Equality. This is essential to ensure affordability for lower income parents and provide high quality early childhood education for all children, including those from disadvantaged backgrounds.⁵⁰ While some measures have been taken to extend paid parental leave under the Roadmap,⁵¹ it should be extended to cover the first year of the child's life, be non-transferable between parents to encourage sharing of childcare responsibilities, provide one parent families with the same total leave period, and be incentivised to encourage take up.⁵²

The new European Care Strategy should guide the delivery of reforms and investments under the Roadmap, in particular its recommendations to Member States to revise targets

⁴⁶ See for example, IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (August 2022), pp. 54-56.

⁴⁷ European Commission, [2022 Country Report – Ireland](#) (June 2022), p. 49.

⁴⁸ Recommendation 8 (b) from the [Citizens' Assembly Report](#) (2021): 'Ireland should: increase the State share of GDP spent on childcare, from the current 0.37% of GDP to at least 1% by no later than 2030 in line with the UNICEF target.' The report also notes the following: 'our recommendations call for better public services and improved social protection in order to advance gender equality. These should be funded firstly through greater efficiency and accountability for public funding and reprioritisation between current spending and revenue raising. If necessary, we are also prepared to support and pay higher taxes based on the principle of ability to pay, to make a reality of our recommendations' at p. 10.

⁴⁹ Recommendation 8 (a) from the [Citizens' Assembly Report](#) (2021): 'Ireland should: Over the next decade move to a publicly funded, accessible and regulated model of quality, affordable early years and out of hours childcare'.

⁵⁰ [Citizens' Assembly Report on Gender Equality](#), (2021), p. 64.

⁵¹ Department for Social Inclusion, [Report Card January 2020-September 2021](#), commitment 29.

⁵² [Citizens' Assembly Report on Gender Equality](#), (2021), p. 13 and IHREC, Submission to the Department of the Taoiseach on the European Semester 2022 and the National Reform Programme (2022), p. 12.

on ECEC and to draw up national actions plans to make care in the EU more available, accessible and better quality for all.⁵³ This is in line with the Commission's recommendation that the State develops and fully implements a National Action Plan for Care, which recognises the economic and social value of care and is based on the participation of rights-holders.⁵⁴

The Commission continues to have significant concerns about child poverty in Ireland, and notes the delay in developing the proposed new target under the Roadmap for reducing the number of children experiencing consistent poverty by 2025.⁵⁵ Given the multiple policy initiatives in the area of child poverty, the Commission is of the view that all measures, targets and monitoring and evaluation structures are consolidated, aligned, focused on impact measurement, and communicated to children in an accessible manner, to facilitate their participation.⁵⁶ According to the Parliamentary Budget Office, the Child Benefit rate in 2022 will have decreased 7.5% in real terms since 2011, 5.3% since 2017 and 2.4% between 2021 and 2022 alone.⁵⁷ As noted above, the Commission recognises the need to index Child Benefit payments in conjunction with other welfare payments, as social welfare payments play a key role in reducing poverty levels.⁵⁸

⁵³ See European Commission, [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European Care Strategy](#) (2022) and European Commission, [Proposal for a Council Recommendation on access to affordable high-quality long-term care](#) (2022).

⁵⁴ See for example, IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (August 2022), p. 55.

⁵⁵ For further information, see IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (August 2022), p. 78.

⁵⁶ The Commission notes that at the Social Inclusion Forum 2022, participants raised the need to address discrimination and victimisation of children in poverty by allowing spaces for meaningful participation: Department of Social Protection, [Report of Social Inclusion Forum 2022](#), p. 7.

⁵⁷ See Parliamentary Budget Office, ["Social Welfare Rate Changes 2011 – 2022"](#), p. 1.

⁵⁸ See NESI, [The Future of the Irish Social Welfare System: Participation and Protection](#) (2020), pp. 8-9; Social Justice Ireland ["Indexation of Social Welfare Rates Review and further proposals"](#) (2019), pp. 4-5; and National Women's Council of Ireland, ["Supporting One Parent Families During and After the COVID-19 Crisis"](#) (2020), p. 14. [Survey on Income and Living Conditions \(SILC\) Poverty Statistics](#) (May 2022) demonstrate that 15.9% of one parent families experienced 'great difficulty' in making ends meet in 2021. The ESRI reported that findings from various simulation exercises on social transfers reforms show that transfers targeting children and their families (Qualified Child Increase, Working Family Payment) produce the largest reduction in child poverty, as well as for the overall population and people living in rented accommodation: ESRI: [Headline Poverty Target Reduction in Ireland and the Role of Work and Social Welfare](#) (June 2022), p. 93.

5. Supporting disabled people

It is the Commission's view that the Covid-19 pandemic highlighted the limited realisation of disabled people's rights and had a disproportionate impact on disabled people in areas ranging from health and wellbeing to education and employment.⁵⁹ As the Commission prepares for the statutory designation of its role as the National Monitoring Mechanism under the UNCRPD,⁶⁰ it will continue to raise these and other issues in its domestic and international engagement.

The Roadmap for Social Inclusion contains a commitment to commission a report on the cost of disability, which was published in November 2021.⁶¹ The mid-term review of the Roadmap provides an opportunity to re-assess commitments under this High-Level Goal, in light of the new data contained in this report.

The Roadmap commitment to produce a strawman proposal on re-structuring long-term disability payments is welcome, but there have been ongoing delays in progressing this project.⁶² Anomalies in the social welfare system operate to prevent disabled people from entering the labour market,⁶³ impacting their right to work, as well as the right to social security.⁶⁴ Roadmap policies on access to work should seek to retain employees who develop disabilities while in employment, by ensuring reasonable accommodations, and income supplementation.⁶⁵ Commission-funded research indicates that low labour market

⁵⁹ See IHREC, [Ireland and the International Covenant on Civil and Political Rights: Submission to the Human Rights Committee on Ireland's fifth periodic report](#) (2022), p. 22.

⁶⁰ The Assisted Decision-Making (Capacity) (Amendment) Bill 2021 will amend the IHREC Act 2014 to provide a statutory basis for the Commission's designation as the Independent Monitoring Mechanism under the UNCRPD.

⁶¹ Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), p. 57; Indecon International Research Economists, [The Cost of Disability in Ireland](#) (November 2021). The Commission notes that the report was designed and developed in consultation with disabled people and representative bodies.

⁶² See Department of Social Protection, [Roadmap for Social Inclusion 2020-2025: Report Card January 2020-September 2021 \(January 2022\)](#) p. 25-26. In September 2022, the Minister for Social Protection noted that preparation of the proposal was underway but did not set out a timeline for completion; Department of Employment Affairs and Social Protection, [Written Answers](#) (27 September 2022).

⁶³ See Department of Social Protection, [Report of the Social Inclusion Forum 2022](#) (September 2022) p. 19; Joanne Banks, Raffaele Grotti, Éamonn Fahey and Dorothy Watson, [Disability and Discrimination in Ireland](#) (October 2018).

⁶⁴ [United Nations Convention on the Rights of Persons with Disabilities](#), Articles 27, 28.

⁶⁵ See Joanne Banks, Raffaele Grotti, Éamonn Fahey and Dorothy Watson, [Disability and Discrimination in Ireland](#) (October 2018), p. 61.

participation may be linked to negative educational experiences.⁶⁶ The Roadmap should take an expansive approach to ensuring labour market participation of disabled people by analysing shortcomings in educational policies, employment and social security policies.

While there is no data currently available to indicate whether the Roadmap's poverty reduction target for disabled people will be met,⁶⁷ the mid-term review should provide an assessment on progress in achieving the target of poverty reduction by consulting directly with stakeholders and analysing qualitative data. The Commission has outlined its concerns with the efficacy of Roadmap poverty reduction measurements elsewhere in this submission.⁶⁸

⁶⁶ See Joanne Banks, Raffaele Grotti, Éamonn Fahey and Dorothy Watson, [Disability and Discrimination in Ireland](#) (October 2018) p. 59.

⁶⁷ The first official Census 2022 report will be published in April 2023; see [Census Results](#) (2022).

⁶⁸ See p. 3.

6. Supporting communities

This High-Level Goal focuses on empowering communities to address social exclusion, but is lacking any commitments regarding the prohibition of socio-economic and intersectional discrimination. The introduction of these grounds in the Equality Acts would be a crucial step in fulfilling the objectives underpinning the Roadmap, and requires a coordinated approach to support the ongoing review by the Department of Children, Equality, Disability, Integration and Youth.⁶⁹ Implementation of this High-Level Goal also requires recognition that particular groups in society have been disproportionately impacted by climate change,⁷⁰ and a just transition to a sustainable economic future is required.⁷¹ Recent Commission-funded research highlighted that there is no national, regional or local policy for achieving a real ‘just transition’ as Ireland navigates its way towards lower carbon emissions,⁷² and consideration should be given to revising the Roadmap at this mid-way point to add related commitments and targets.

The Roadmap recognises that digital connectivity is critical to sustaining rural communities in particular and combatting social isolation.⁷³ The Commission is concerned that structurally vulnerable communities are more likely to experience and be isolated by digital poverty, and that almost one in two adults (42%) in Ireland are without basic digital skills.⁷⁴ A recent report by the UN Special Rapporteur on Extreme Poverty and Human Rights also highlighted that the digitalisation of processes for claiming social protection benefits exacerbates the digital divide and may lead to more uncertainty for structurally vulnerable groups.⁷⁵ Building inclusive communities and encouraging active citizenship requires the

⁶⁹ For further information on the Commission’s positions in this area, see IHREC, [Submission on the Review of the Equality Acts](#) (2021).

⁷⁰ IHREC, [Submission to the United Nations Human Rights Committee on the List of Issues for the Fifth Periodic Examination of Ireland](#) (2020), p. 59.

⁷¹ IHREC, [Strategy Statement 2022-2024](#), p. 17.

⁷² Clare Public Participation Network, [Towards an Anti-Poverty Strategy for Clare](#) (2022).

⁷³ Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), p. 62.

⁷⁴ IHREC, [Ireland and the International Covenant on Civil and Political Rights: Submission to the Human Rights Committee on Ireland’s fifth periodic report](#) (2022), pp. 84-85 and IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland’s combined fifth and sixth periodic reports](#) (August 2022), pp. 33-34.

⁷⁵ Human Rights Council, [Non-take-up of rights in the context of social protection: Report of the Special Rapporteur on extreme poverty and human rights](#), Olivier De Schutter (2022), p. 18.

State to address this divide, by increasing access to digital services while also retaining non-digital access options and fully implementing the Adult Literacy for Life Strategy.⁷⁶

There is a focus under this High Level Goal on responding to Brexit, reducing its impact on progress made in developing community relations and ensuring reciprocal north-south entitlements.⁷⁷ The Commission engages with the Northern Ireland Human Rights Commission ('NIHRC') through a Joint Committee established under the Belfast Good Friday Agreement.⁷⁸ Following Brexit, the Commission also comprises the Article 2(1) Working Group of the Dedicated Mechanism, along with the NIHRC and the Equality Commission for Northern Ireland.⁷⁹ Through this work, the Commission is engaging with the very significant issues we are seeing following the United Kingdom's departure from the EU. The human rights and equality issues are multiple, as evident in the Commission-funded research on the divergence of rights on the island⁸⁰, and require sustained focus during the remaining period of the Roadmap.⁸¹

The Commission has particular concerns about the proposed introduction by the UK government of an Electronic Travel Authorisation (ETA) regime, due to be implemented by the end of 2024. This would cause significant disruption to people's lives in border communities and across the entire island of Ireland, and would fundamentally threaten the peace we all enjoy by hardening the border.⁸²

⁷⁶ IHREC, [Ireland and the International Covenant on Civil and Political Rights: Submission to the Human Rights Committee on Ireland's fifth periodic report](#) (2022), pp. 84-85 and IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (August 2022), pp. 33-34.

⁷⁷ The Roadmap states that 'the Government will continue to insist that these North South arrangements are protected': Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), pp. 62, 65.

⁷⁸ The 1998 Agreement specifically envisaged the establishment of a Joint Committee with representatives of the two bodies, in Northern Ireland and Ireland, as a forum for considering human rights issues on the island of Ireland: Belfast/Good Friday Agreement 1998, 10 April 1998.

⁷⁹ This group deals with any arising all-island issues, as set out in Article 2 of the Ireland/Northern Ireland Protocol.

⁸⁰ This research was jointly funded by IHREC with the Northern Ireland Human Rights Commission and the Equality Commission for Northern Ireland. European Union Developments in Equality and Human Rights: The Impact of Brexit on the Divergence of Rights and Best Practice on the Island of Ireland (forthcoming).

⁸¹ Joint Committee on the implementation of the Good Friday Agreement, EU-UK Withdrawal Agreement: Discussion (September 2022).

⁸² Joint Committee on the implementation of the Good Friday Agreement, EU-UK Withdrawal Agreement: Discussion (September 2022).

We also have concerns about how checks are currently being carried out on border travel, and the potential for racial profiling.⁸³ We have engaged directly with An Garda Síochána regarding these concerns.

⁸³ Joint Committee on the implementation of the Good Friday Agreement, EU-UK Withdrawal Agreement: Discussion (September 2022).

7. Core essentials: healthcare, housing, energy and food

Concerns about the reliability and affordability of services in Ireland were raised at the Social Inclusion Forum 2022. Participants noted that a lack of access to affordable services works alongside income inadequacy to increase financial burden, particularly for individuals and households at the poverty threshold.⁸⁴

The Covid-19 pandemic has demonstrated deficiencies in access to healthcare in Ireland and exposed the consequences of underinvestment in healthcare services. Commission concerns about Ireland's two-tier healthcare system have been echoed by the UN Committee on Economic, Social and Cultural Rights, and operate as a barrier to social inclusion.⁸⁵ The mid-term review of the Roadmap should provide detailed updates on the implementation of *Sláintecare*, including timelines for implementation, in recognition of the urgent need for progress in this area. Commitments and targets relating to the crisis in mental healthcare provision⁸⁶ and access to healthcare for disabled people are also notably absent in the Roadmap.⁸⁷ These gaps should be acknowledged and addressed in the mid-term review.

The Roadmap commits to developing an Inclusion Health policy to address the needs of socially excluded groups.⁸⁸ However, there are delays in progressing and publishing this policy, and selective references to socially excluded groups in subsequent Roadmap progress reports.⁸⁹ The current Programme for Government commits to publish a National

⁸⁴ Department of Social Protection, [Report of Social Inclusion Forum 2022](#) (September 2022), p. 12.

⁸⁵ See IHREC, [Submission to the United Nations Committee on Economic, Social and Cultural Rights for the List of Issues on Ireland's Fourth Periodic Report](#) (December 2021), p. 4; Committee on Economic, Social and Cultural Rights, [Concluding observations on the third periodic report of Ireland](#) (July 2015), pp. 8-9.

⁸⁶ Mental health services in Ireland are insufficiently funded to meet current need, resulting in long waiting times and gaps between public and private healthcare provision. See IHREC, [Ireland and the Rights of the Child](#) (August 2022), p. 73-74.

⁸⁷ The Commission has raised concerns about barriers experienced by people with disabilities when accessing healthcare; IHREC, [Submission to the United Nations Committee on Economic, Social and Cultural Rights for the List of Issues on Ireland's Fourth Periodic Report](#) (December 2021), p. 19.

⁸⁸ Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), p. 68.

⁸⁹ The 2021 Report Card comments on increased budget allocation for health services for homeless people and people living with addiction only. See Department of Social Protection, [Roadmap for Social Inclusion 2020-2025: Report Card January 2020-September 2021](#) (January 2020), p. 30.

Traveller Health Action Plan and a Traveller and Roma Mental Health Action Plan, however neither Plan has been published.⁹⁰

The position in the Roadmap is that “in Ireland...we have a stock of good quality housing” and the shortage of house is concentrated in particular urban locations.⁹¹ There is currently an acute crisis across the country, characterised by escalating rents, insecurity of tenure, a severe shortage of affordable housing, an inadequate legal framework and increased State reliance on the private rental market.⁹² As of August 2022, there were 1,483 families accessing emergency accommodation across Ireland, including 3,220 children.⁹³ Research findings demonstrate persistent housing discrimination and disadvantage among structurally vulnerable groups, particularly one parent families, minority ethnic groups, including Travellers, migrants, and disabled people – all of whom experience multiple barriers in meeting their right to adequate housing.⁹⁴ Progress in responding to the housing crisis remains slow, as recently recognised by the European Commission⁹⁵ and the European Committee of Social Rights.⁹⁶ The review and implementation of the Roadmap must take account of the worsening housing and homelessness crisis, its disproportionate impact on specific groups, and the six dimensions of adequate housing developed in Commission-supported research: accessibility, affordability, security of tenure, cultural adequacy, quality and location.⁹⁷

⁹⁰ See Department of the Taoiseach, [Programme for Government: Our Shared Future](#) (October 2020). A publication timeline of September 2022 was set for both action plans. See [Dáil Debates](#) (31 May 2022); Department of Health, [Written Answers](#) (31 March 2022).

⁹¹ Government of Ireland, [Roadmap for Social Inclusion 2020-2025: Ambition, Goals, Commitments](#) (2020), pp. 67-68.

⁹² IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (December 2021), p. 8 and IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (August 2022), pp. 80-82.

⁹³ Department of Housing, Local Government and Heritage, [Monthly Homelessness Report](#) (August 2022).

⁹⁴ For further information, see for example: IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#) (December 2021), p. 8 and IHREC/ ESRI, [Monitoring Adequate Housing in Ireland](#), June 2021.

⁹⁵ In 2022, the European Commission noted that the ongoing lack of social housing, together with surging rental prices, added to the ongoing structural housing crisis in Ireland: European Commission, [2022 Country Report – Ireland](#) (June 2022), p. 48.

⁹⁶ The European Committee of Social Rights has repeatedly found that the State is not in compliance with Article 16 of the European Social Charter, due to its failure to provide adequate social housing for children and families and Traveller accommodation: European Committee of Social Rights, [Follow-Up to Decisions on the Merits of Collective Complaints](#) (2022). The Commission notes that Ireland has not accepted Article 31 of the Charter on the right to housing.

⁹⁷ IHREC/ ESRI, [Monitoring Adequate Housing in Ireland](#) (June 2021).

Growing food and energy costs are intrinsically linked to income inadequacy and the rising cost of living. It is therefore unsurprising that energy and food poverty were raised at the Social Inclusion Forum 2022.⁹⁸ Commission-supported research has noted the lack of data and indicators in relation to food poverty in Ireland, while participants at the Social Inclusion Forum 2022 raised concerns about growing reliance on foodbanks.⁹⁹

⁹⁸ Department of Social Protection, [Report of Social Inclusion Forum 2022](#) (September 2022).

⁹⁹ Conor McCabe, [Towards an Anti-Poverty Strategy for Clare](#) (September 2022), p. 28. The report states that SILC data does not measure access to or nutritional quality of food and notes the characterisation of food poverty policy in Ireland as one led by “inaction, incoherence and ineffectiveness”.



**Coimisiún na hÉireann um Chearta
an Dulne agus Comhlonannas**
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