

Universal Periodic Review Ireland

Submission by the Irish Civil Society Coalition, *Your Rights, Right Now* for the 12th Session of the UPR Working Group October 2011 21 March 2011

I. Introduction

This joint submission was drawn up by a coalition of 17 Irish and civil society groups who joined forces as part of the UPR Cross Sectoral Steering Group.¹ The aim of the Steering Group was to coordinate a cohesive and effective civil society response to Ireland's UPR examination and to ensure that the voice of civil society including individuals was heard. Under the campaign banner, *Your Rights, Right Now*,² the Steering Group conducted 14 consultation and public information events throughout Ireland including [insert final figure] participants, and received [insert final figure] submissions.³ This report has been endorsed by [insert number] of organisations and [insert number] individuals in Ireland.⁴

Background and framework

A. Constitution

1. The Irish Constitution was adopted prior to the founding of the UN and does not reflect the full panoply of universal human rights standards.⁵ While it guarantees certain private property rights⁶ and access to primary education,⁷ other socio-economic rights are not justiciable and are only included as Directive Principles for Social Policy.⁸ Equality is protected under Article 40.1 of the Constitution.⁹ However, the Irish courts have narrowly interpreted this provision and have ruled that it only prohibits arbitrary or blatant discrimination.¹⁰ This means that the Constitution does not protect against systemic or indirect discrimination.

B. Legislation

3. The European Convention on Human Rights (ECHR)¹¹ was given further effect in Irish law via the European Convention on Human Rights Act 2003 through a weak interpretative model.¹² Every organ of the State must perform its functions in a manner compatible with the State's obligations under the Convention;¹³ however, there is a minimalist remedy in the form of a declaration that a law or act of a public body is incompatible with the Convention.¹⁴

C. Policy measures

4. Ireland is a champion of human rights abroad but fails adequately to promote and protect human rights at home.¹⁵ The human rights and equality structure is strong in principle but weak in practice. There is no National Human Rights Action Plan or designated ministry to protect and promote human rights domestically. The State has failed to provide any national programme of human rights education for civil and public servants.¹⁶ Human rights proofing of proposed legislation and policy is not carried out in a systematic way.¹⁷

D. National jurisprudence

Human rights based challenges to the exercise of the State's authority remain rare. Delays on court lists and the possibility of the State's costs being awarded against claimants discourage litigation.¹⁸ Amendments to the system of judicial review, particularly around time limits have created an additional burden for litigants.¹⁹

E. Human rights infrastructure

6. The statutory Irish Human Rights Commission²⁰ and Equality Authority²¹ have powers which appear extensive on paper, but which are not used effectively in practice.²² Disproportionate cuts to their already modest budgets have also constrained their independence and efficiency, contrary to recommendations of the Human Rights Committee.²³ Resourcing for the National Consultative Committee on Racism and Interculturalism²⁴ and the Combat Poverty Agency²⁵ was cut entirely and their functions have not been effectively subsumed into government departments.²⁶

F. Scope of international obligations

7. Despite being a party to six core human rights treaties,²⁷ very few elements of international human rights instruments have been incorporated in Irish law²⁸ making them effectively unenforceable in the Irish courts.²⁹ Ireland still maintains reservations to important aspects of key treaties³⁰ and it has not yet ratified: the Optional Protocol on the Convention against Torture, the Optional Protocol to the ICESCR, the Convention against Enforced Disappearances, the UN Convention for the Rights of Persons with Disabilities and the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The UN Convention on the Rights of All Migrant Workers also remains unsigned.

Recommendations:

- Reform the current statutory human rights and equality bodies to produce a more coherent and effective institutional framework for the protection and promotion of human rights.
- As a priority, take steps to ratify and incorporate all UN treaties into Irish law.
- Ratify and implement the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.
- Develop a Human Rights Action Plan which includes human rights proofing of policy and legislation; and, meaningful training for civil and public services.

II. Promotion and protection of human rights on the ground

8. Ireland often fails to submit reports to UN human rights bodies within specified timeframes.³¹ Recommendations from the TMBs are rarely implemented and there are no institutional mechanisms for follow-up. Concluding Observations are not widely disseminated nor are they regarded as binding by Government Ministers.³²

A. Implementation of international human rights obligations

1. Equality and non-discrimination

9. **Disability rights** are not effectively protected in service delivery, for example, there is little coordination between the cross-cutting issues of employment, education, housing, social

security where disabled people are concerned.³³ At present, deaf persons are excluded from serving on juries in civil and criminal trials in Ireland, excluding them from an important aspect of public affairs.³⁴

10. The quality of life of people with **intellectual disabilities** is impaired by the antiquated framework around capacity for decision making, dating from 1871.³⁵ The previous government approved the Scheme of a Mental Capacity Bill in 2008 but this has yet to be enacted.³⁶

Recommendation:

- Enact and implement a Mental Incapacity Bill 2008 taking into account the recommendations of the Irish Human Rights Commission³⁷ and the Law Reform Commission.³⁸

2. Right to life liberty and security of the person

11. Ireland’s **prison** population has doubled since 1997 and overcrowding has contributed to an increase in inter-prisoner violence.³⁹ Almost a third of the Irish prison estate does not have **in-cell sanitation** despite Government assurances since 1993 that it will abolish the inhuman and degrading practice of “slopping out”.⁴⁰ The **detention of minors** (boys between 16 and 21 years of age) in St. Patrick’s Institution has been condemned by the Ombudsman for Children’s Office⁴¹ and the Council of Europe’s Committee for the Prevention of Torture.⁴²

12. The Irish **criminal justice process** is not codified⁴³ and gaps exist in criminal sanctions, including regarding the practice of **female genital mutilation**.⁴⁴ Meanwhile the rights of **victims of crime**⁴⁵ are not fully respected including the **victims of trafficking**, in line with international standards.⁴⁶

Recommendations:

- Policy should center on imprisonment as a last resort and measures to address the overcrowding crisis including by an enforceable established ceiling on the prison population, should be introduced.. Government should commit to end slopping out completely by a fixed date. Work should commence on the National Children Detention Facility.⁴⁷
- The practice of FGM should be outlawed as a matter of urgency.
- The State should legislate to ensure enforceable binding rights for all victims of crime, including victims of trafficking.

3. Administration of justice and the rule of law

13. Access to justice is limited by the manner in which the State civil **legal aid scheme**⁴⁸ **operates; it** only offers support to individuals on low incomes,⁴⁹ in limited circumstances⁵⁰ and has been subject to a number of restrictions and budgetary cuts.⁵¹

14. As regards the fairness of court proceedings, measures have been introduced to curtail access to justice, for example, the remit of the **non-jury, Special Criminal Court** was expanded under the Criminal Justice (Amendment) Act 2009,⁵² despite consistent UN

recommendations for its abolition.⁵³ Moreover, the **inquest system** remains in need of overhaul⁵⁴ despite the introduction of a reform Bill in 2007.

Recommendations:

- Ensure access to justice by adequately resourcing the Legal Aid Scheme; abolishing the Special Criminal Court and legislating to reform the inquest system.

4. Right to freedom of religion and belief/ Right to freedom of expression

15. The Defamation Act 2009 establishes a new criminal offence which includes a broad prohibition of publishing or uttering **blasphemous matter**.⁵⁵ Although no prosecutions have been brought under the Act, it has the potential to have a chilling effect on free speech.

Recommendation:

- Repeal Part V of the Defamation Act 2009.

5. Right to practice in public and political life

16. Political life in Ireland is dominated by white, middle-aged, Irish men and the system remains closed in many ways to **women, Travellers and minorities**.⁵⁶ In its 2007 and 2011 Reports on Ireland, the OSCE/ODIHR noted the low level participation of women in its elections and represented in the Dáil (Lower House of the Irish Parliament).⁵⁷ Furthermore, there are few formal mechanisms to encourage individuals and civil society groups to engage in policy or legislative development.

Recommendation:

- Take effective measures to increase political participation by under-represented groups, including concrete steps to increase the effective representation of women, Travellers and other minority groups in the Oireachtas (Irish Parliament).

6. Right to privacy, marriage and family life

17. Marriage and family life in Ireland is dominated by Article 41 of the Irish Constitution which states that the **family** is the natural primary and fundamental unit of society and a moral institution “possessing inalienable and imprescriptible rights, antecedent and superior to all positive law”⁵⁸ and that “a **woman**, by her life within the home, woman gives to the State a support without which the common good cannot be achieved”.⁵⁹

18. Same-sex couples can enter into a civil partnership which provides them with certain legal rights and entitlements;⁶⁰ however, there is no recognition of the family of same-sex couples in Irish legislation.⁶¹ Section 37 of the **Employment Equality Act 1998** facilitates active discrimination against people by providing an exemption which allows for religious orders who provide public services (such as in schools or hospitals) to discriminate against prospective employees on the basis of moral ethos. This includes discrimination against workers and impacts disproportionately on people who are not part of a family, as defined by the Constitution such as **LGBT people and lone parents**.

19. The continued perception of women as dependents in Irish public policy promotes persistent traditional stereotyping of women and men, and has consequent impacts on

women's educational choices and employment patterns. The interpretation by the Courts of Article 41 of the Constitution limits the extent to which **unmarried fathers** have difficulties can secure guardianship, custody, access and other rights to their children.⁶²

20. Presently, Ireland and Lithuania are the only two countries in the European Union that do not allow for legal recognition of post-operative **transgendered persons**, despite the Irish High Court ruling that this was incompatible with our obligations under the European Convention on Human Rights.⁶³

Recommendations:

- Expedite a referendum to amend Article 41 of the Constitution to recognise modern, pluralist and inclusive family relationships.
- Introduce same-sex marriage for gay and lesbian couples.
- Immediately repeal section 37 of the Employment Equality Act 1998.
- Ireland should meet its obligations to introduce gender recognition legislation.

7. Right to work and to just and favourable conditions of work

21. In addition to economic benefits, the ability to enter the workforce impacts greatly on social determinants such as **health, education and housing**. The **minimum wage** is a crucial element in maintaining an adequate standard of living for vulnerable groups including, women⁶⁴ and migrants.⁶⁵ Net **childcare** costs are 45% of the average wage in Ireland, compared to 16-17% in EU and OECD countries, negatively impacting on women and lone parents.⁶⁶ **Asylum seekers** are denied access to employment for lengthy periods⁶⁷ while **immigration and residency rules fail to prevent the exploitation of migrant workers**.⁶⁸

Recommendations:

- Take steps to promote the participation of vulnerable and disadvantaged groups in the workforce, including by reversing the cut to the minimum wage, establishing an affordable accessible and quality publicly funded childcare system, reforming the work permit system to incorporate freedom to change employers and providing temporary work permits to asylum seekers and opting in to the EU Directive on Minimum Standards for the Reception of Asylum Seekers (EU Council Directive 203/9/EC).

8. Right to social security and to an adequate standard of living

22. The Habitual Residence Condition is an additional qualifying condition for all means-tested **social welfare payments** and Child Benefit by which an applicant has to show a connection to the State.⁶⁹ It has a serious impact on vulnerable groups including asylum seekers,⁷⁰ migrant women who are victims of domestic violence and Travellers.⁷¹ While **Child Benefit** is classified as a universal payment and has been described by the Irish Government as “an important means of reducing child poverty,”⁷² a number of children living in the State are denied this payment due to the application of the Habitual Residence Condition.⁷³

Recommendations:

- Residence while awaiting a State decision on protection or immigration status should be taken into account for the purposes of habitual residence.
- Measures should be taken to ensure that families in genuine need are not denied child benefit because of the operation of the Habitual Residence Condition.

9. Right to health

23. Entitlement to health services in Ireland is primarily based on residency and means. Discrimination in **accessing and availability** of healthcare disproportionately affects **transgendered people,⁷⁴ women, asylum seekers, children, people suffering from mental health illnesses and members of the Traveller Community.⁷⁵**

24. While Ireland does not have a Women's Health strategy, certain other strategies exist, including the Mental Health Strategy, a *Vision for Change* and the Traveller Health Strategy,⁷⁶ but have not been implemented in a meaningful manner nor have they been human rights proofed.

Recommendations:

- In order to ensure coordinated and change-creating health policies, Ireland should develop human rights based health strategies for women and other vulnerable groups in Irish society. Ireland should implement fully the recommendations from the Traveller Health Strategy and establish a framework to deliver on the national mental health strategy *A Vision for Change*.
- Ensure that everyone, especially children, women, Travellers, migrants and asylum seekers have access to affordable primary care services close to home and high-quality, timely specialist support services, including those relating to mental health difficulties.

10. Right to Housing

25. The State has not incorporated the right to housing into its domestic legislative framework and has opted out of Article 31 of the European Social Charter. The standard of **local authority housing** and **Traveller-specific accommodation⁷⁷** suffers as a result. Inappropriate⁷⁸ or poorly serviced accommodation options significantly impact on physical and mental well being; community cohesion and access to services. In the case of Travellers, prejudice, enforced assimilation⁷⁹ and the legal enablement of forced evictions are further consequences.⁸⁰ Within the current economic climate, financial difficulties mean that many are at risk of losing their homes; however, the 2010 recommendations of the government's Expert Group on Mortgage Arrears and Personal Debt still remain unfulfilled.

Recommendations:

- All legislation pertaining to housing should conform to human rights standards and these standards should be fully assimilated into government policy, including local government policies with particular focus on the local authority housing and Traveller accommodation. Traveller accommodation plans should be developed in partnership with representatives of the Traveller community.
- Implement the recommendations of the Expert Group on Mortgage Arrears and Personal Debt.

11. Rights of the Child

26. The Irish Constitution is largely silent on the rights of children and as such the ‘best interests of the child principle’ is not applied in Irish courts nor is there provision for voice to be heard in any decision affecting him or her.

27. Widespread clerical child abuse has been revealed by a number of enquiries took place, including the Commission to Inquire into Child Abuse which published the Ryan Report on 21 January 2009. The Government’s *Ryan Report Implementation Plan* contains 99 actions to ensure the protection of children within the State.

Recommendations:

- Expedite a referendum for the insertion to children’s rights in the Constitution in line with the report of the All Party Oireachtas Committee.⁸¹
- As a priority, take steps to fully implement the Ryan Report Implementation Plan, including by providing a duty in law to report suspected child abuse, to introduce a comprehensive vetting system and ensure that there is appropriate provision for each child in care (and for those leaving care) are appropriately looked after.

12. Women’s Rights

28. Criminalisation of **abortion** means that safe and legal terminations are inaccessible in Ireland for all women and girls.⁸² Despite a 1992 Irish Supreme Court ruling clarifying the Constitutional position⁸³ and a recent ECHR judgment⁸⁴ requiring that the law be clarified, legislation has not been forthcoming.⁸⁵ By restricting abortion, the State interferes with women’s right to health, privacy, life, freedom from inhuman or degrading treatment and non-discrimination.⁸⁶

Recommendations:

- Ireland should immediately repeal the 1861 Offences Against the Persons Act (criminal sanctions for those who have abortions and those who assist them) and immediately enact legislation to clarify the circumstances under which an abortion may be lawful.

13. Right to education

29. The provision of education in Ireland is intricately connected to the majority **Christian religion**, particularly the Catholic faith. 98% of schools are run by Christian religious bodies whose admissions policy may be determined in accordance with religious ethos, thereby limiting educational choice to children and parents of other religious faiths, atheists, humanists and agnostics.⁸⁷

30. A lack of **specialised support services** for children in education impacts particularly on children who have supportive educational needs.⁸⁸ Overall, while the Constitution⁸⁹ declares free primary education for all, in reality, the cost of supporting a child through his or her school years is significant⁹⁰ partly evidence by the fact that one in 10 children leaves school with literacy problems, rising to 1 child in 3 in disadvantaged communities.⁹¹ The cost of education continues into third level with **third country nationals** resident in Ireland excluded from third level grant applications.⁹²

Recommendations:

- The State should provide for non-denominational schooling at all levels throughout the state and take steps to abolish the religious integrated curriculum. Free, accessible and appropriate education of adequate quality should be available to everyone who cannot afford to pay for it, including the provision of education to children with special learning needs.

14. International assistance

31. Upon ratification of the ICRPD, Irish Aid should immediately take steps to implement Articles 11 and 32 of the Convention, including by developing a **policy on disability and development**.⁹³

32. Government's policies on economic recovery contravene public commitment on overseas development aid (0.7% of GDP by 2015).⁹⁴ The National Recovery Plan states that the Government's aim is to consolidate the aid budget around the current level, which locks in substantial cuts in real terms since 2008. Given the Government's own expectation of a return to growth in GNP, any plan to merely maintain ODA spending in real terms would mean it will not be possible for Ireland to meet its international commitments, since the United Nations' ODA target is captured as a percentage of GNP.

Recommendations:

- Advance a rights-based approach to foreign policy, international cooperation and policy coherence for development, with indicators of success against which the Department of Foreign Affairs can be held accountable.
- The Government should demonstrate clearly how it intends to meet Millennium Development Goal of 0.7% of GNP to ODA by 2015.

15. Minorities & Anti-Racism

33. Following the conclusion of the National Action Plan Against Racism 2005-2008,⁹⁵ Ireland is lacking an integrated, strategic mechanism for government action to respond to racism, mainly experienced by **migrants, Travellers and Roma people**⁹⁶ in Ireland. Irish criminal law does not define racist or related hate offences as specific offences⁹⁷ and there is limited data on the number of racist and related hate crimes experienced by minority groups⁹⁸ despite evidence of high levels of experience of racism and discrimination.⁹⁹ Despite a recommendation by the Human Rights Committee¹⁰⁰ the State has failed to **recognise Travellers as an ethnic group**. Lack of recognition of ethnicity means that Travellers may not be recognised as suffering incidents of racism, included in national or local anti-racist measures or benefit from positive action initiatives aimed at including minorities in public life.¹⁰¹

Recommendations:

- A new national strategic initiative is required to combat racism and discrimination against minority groups in Ireland, including the collection of disaggregated data on racist crime, amendments to the criminal law to take into account racist motivations,

the social inclusion of migrants, including Roma, educational attainment, access to the labour market and access to services.

- Ireland should take immediate steps to recognise Travellers as an ethnic group.¹⁰²

16. Migrants, refugees and asylum seekers

34. Ireland lacks an efficient and cost-effective independent appeals tribunal for **decisions on immigration and naturalisation**. The current system for the administration of decisions is based on ministerial discretion¹⁰³ with applicants effectively required to seek judicial review in the High Court in order to challenge decisions.¹⁰⁴

35. There is concern that persons are maintained at subsistence levels in the **Direct Provision**¹⁰⁵ dispersal and accommodation system for unduly long periods of time impacting on rights to health, food, housing and family life. In addition, Ireland has failed to put measures in place that ensure **separated children** have equal access to justice.¹⁰⁶ Although this group is numerically small, it is considered at high risk.

Recommendations:¹⁰⁷

- Establish of an independent appeals mechanism to include immigration and naturalisation decisions to provide more effective, transparency and cost-effective decision-making. The State should carry out an audit of its policy of direct provision and dispersal to ensure it meets human rights standards in Irish law and in international human rights treaties that it has ratified. The State should respect, protect and promote the fundamental human rights of all people seeking its protection regardless of their immigration status.
- The rights of separated children to equal access to justice should be established in law. Evaluate the ‘equity of care policy’ for separated children to ensure that all separated children experience true equity of care on a par with other children in the care system.

17. Situations particular to Ireland

36. The current economic climate has impacted heavily on the certain sectors of Irish society. Cutbacks over the last number of years have focused disproportionately on State activities to protect and promote the rights of vulnerable or minority people in Ireland, for example, the **National Women’s Strategy** (2007 – 2016) faces real challenges due to severe funding cuts to its implementation fund, as does the Community and Voluntary sector¹⁰⁸[include others here].

Recommendations:

- Ireland should put people and human rights at the centre of its economic recovery and should ring-fence funds to promote and protect the human rights of vulnerable members of society.

¹ Members of the Cross Sectoral Steering Group can be found at ANNEX [] to the report.

² For further information about this UPR Campaign, please visit the [website \(http://www.rightsnow.ie/\)](http://www.rightsnow.ie/).

³ The consultations and public information events were conducted in Donegal, Galway, Cork, Limerick, Waterford, Dundalk and Dublin throughout February 2011. Themes arising from the consultations and input to the draft report were further discussed and gathered at the National Review Event on 10 March, 2011.

⁴ **Insert in relation to methodology.**

⁵ The Irish Constitution is accessible on the website of the Taoiseach (Irish prime minister) http://www.taoiseach.gov.ie/attached_files/Pdf%20files/Constitution%20of%20Ireland.pdf

⁶ Article 43.

⁷ Article 42.

⁸ Article 45.

⁹ Article 40.1 provides that: “All citizens shall, as human persons, be held equal before the law.”

¹⁰ *O’B. v. S.* [1984] I.R. 316 at 335.

¹¹ The ECHR was given further effect in Irish law on account of an obligation under the Good Friday (Belfast) Agreement, 1998. The Agreement is a multi-party document that commits all political parties on the island of Ireland to democratic and peaceful means of resolving differences. In Chapter 6, the Irish Government agreed to examine the incorporation of the ECHR. Refer to: <http://www.dfa.ie/uploads/documents/Anglo-Irish/agreement.pdf>

¹² The Act is accessible at the following location: <http://www.irishstatutebook.ie/2003/en/act/pub/0020/print.html>. The Government favoured this model as it viewed direct incorporation as being “undesirable” and “unnecessary”. The former Minister for Justice (2002-2007), Mr Michael McDowell speaking in 2008 at a conference. Source: McDowell, (2008) “The European Convention on Human Rights Act, 2003 Embarks on its Fifth Year”, presentation delivered to the ECHR Conference organised by the Bar Council on 9 April 2008.

¹³ Section 3.

¹⁴ Section 5. **Insert reference on McD judgment. Also include basis for various accountability mechanisms.**

¹⁵ For example, the then Minister for Justice, Mr Michael McDowell, claimed that human rights adversely affect the “entrepreneurial spirit” because they dictate standards to comply with. Source: Beesley, (24 May 2003) “McDowell attacks ‘rights-based society’, *Irish Times*. The former Taoiseach (1998-2008), Mr Bertie Ahern argued in the context of the Disability Bill 2004 that people should not have a “right to resources” Source: RTE News (11 May 2005) “Ó Caoláin ejected from Dáil in disability row”. <http://www.rte.ie/news/2005/0511/disability.html>

¹⁶ The Irish Human Rights Commission obtained funding from philanthropic sources for a project on public service education on human rights; however, this has not yet been rolled out in any substantive manner. See www.ihrc.ie.

¹⁷ While the Attorney General’s Office is consulted on areas of possible incompatibilities, the Government does not proactively set out to prepare legislation to positively implement human rights standards. Regulatory Impact Analysis (RIA), required to be carried by civil servants out in advance of significant projects such as the development of legislation, does not incorporate a space for human rights analysis.

¹⁸ **Insert reference on this, from PILA?**

¹⁹ For example, section 5 of the Illegal Immigrants Trafficking Act 2000 imposes a 14 date time limit on foreign nationals issuing judicial review proceedings. CERD noted its concern about this time limit in its recommendations on Ireland in 2005 (CERD/C/IRL/CO/2). Accessible at: <http://tb.ohchr.org/default.aspx?country=ie>. Furthermore, recent case law puts certain government actions beyond the reach of the Court. The Supreme Court has accepted that the Government is entitled to run discretionary scheme where the Constitution and the ECHR does not apply. In the *Bode* case, the Minister for Justice appealed Finlay Geoghegan’s ruling that it had to consider the Article 8 (right to family and private life) of the ECHR regarding the rights of children whose parents are facing deportation. The Supreme Court granted the State relief and decided that the State was entitled to run discretionary administrative schemes where the Constitution and ECHR does not apply. Deeming Finlay Geoghegan’s judgment “misguided” and writing for the majority Denham J stated that: “I am satisfied that the scheme was an exercise of executive power by the Minister. It did not purport to address, nor did it address, Constitutional or Convention rights [...] Insofar as the issue of rights under the Constitution and the Convention were considered and decisions made on these issues, it was a premature analysis by the High Court. Issues as to the Constitutional and Convention rights of the applicants have yet to be considered by the Minister. Insofar as the review extended into this arena it was in error. Source: *Bode (A Minor) v Minister for Justice, Equality and Law Reform & Ors* [2007] IESC 62, at para. 24.

²⁰ The Irish Human Rights Commission was established under the Human Rights Commission Acts 2000 and 2001 to protect and promote the human rights of everyone in Ireland. Refer to: www.ihrc.ie

²¹ The Equality Authority was established under the Employment Equality Acts 1998 with a mandate to address discrimination under nine groups which are covered by the legislation. Refer to: www.equality.ie

²² **Insert here in relation to the Magdalene Laundries.**

²³ For example, in 2008 the budget of the Authority was reduced by 43% resulting in its Chief Executive Officer and six board members resigning in protest amid allegations that the Department of Justice, Equality and Law Reform was punishing the Authority for its successful discrimination challenges against public bodies. Hickey, Shane (12.12.2008) "Equality Authority Chief quits after €2.5 million Budget Cut", *Irish Independent*, accessible at: <http://www.independent.ie/national-news/equality-authority-chief-quits-after-836425m-budget-cut-1572746.html>

Also refer to: Coulter, Carol (12.12.2008) "Why was the CEO a beacon of equality forced to step down?", *Irish Times*, accessible at: <http://www.irishtimes.com/newspaper/opinion/2008/12/12/1228864714150.html> The IHRC's budget was reduced to by 32% in the same period. Source: IHRC (November 2010) *Submission to the UN Cerd Committee on the Examination of Ireland's Combined Third and Fourth Periodic Reports*, accessible at: <http://www.ihrc.ie/download/pdf/20101210101458.pdf>

²⁴ The National Consultative Committee on Racism and Interculturalism was set up by the Department of Justice, Equality and Law Reform as an independent partnership body on racism and interculturalism. It ceased operating in December 1998 when its funding was cut and was not replaced. Refer to: www.nccri.ie

²⁵ The Combat Poverty Agency was a state agency that worked for the prevention and elimination of poverty and social exclusion. The Agency is now closed and its work has now been subsumed into the Social Inclusion Division of the Department of Community, Equality and Gaeltacht Affairs. Refer to: www.cpa.ie

²⁶ For more information about the effect of the cuts to the human rights and equality infrastructure, refer to the work of the Equality and Rights Alliance at www.era.ie.

²⁷ ICCPR; ICESCR; CRC; CEDAW; ICERD and UNCAT.

²⁸ These include the Genocide Act, 1973; Incitement to Hatred Act, 1989 on foot of Article 20 (incitement to hatred) of the ICCPR; the Criminal Justice (United Nations Convention Against Torture) Act 2000 and the European Convention on Human Rights, Act 2003.

²⁹ **Insert reference to McD case and Murray dicta on the application of international law in Irish Courts.** This has been confirmed by the Irish Supreme Court in *Kavanagh v Governor of Mountjoy Prison*, Fennelly J writing for the majority, dismissed an appeal which contended that the State's ratification of the ICCPR created a legitimate expectation that the State would respect its provisions and views of the UN Human Rights Committee which monitors states parties compliance. Fennelly J said: The Constitution establishes an unmistakable distinction between domestic and international law. The government has the exclusive prerogative of entering into agreements with other states. It may accept obligations under such agreements which are binding in international law. The Oireachtas, on the other hand, has the exclusive function of making laws for the state. These two exclusive competences are not incompatible. Where the government wishes the terms of an international agreement to have effect in domestic law, it may ask the Oireachtas to pass the necessary legislation. If this does not happen, article 29, section 6 applies. I am prepared to assume that the State may, by entering into an international agreement, create a legitimate expectation that its agencies will respect its terms. However, it could not accept such an obligation so as to effect either the provisions of a statute or the judgment of a court without coming into conflict with the Constitution. Source: *Kavanagh v Governor of Mountjoy Prison* [2002] 2 IR 97, [2002] 2 ILRM 81, at para 129.

³⁰ For example the Government has lodged a reservation to Article 4 of the ICERD and Article 20 of the ICCPR which both cover incitement to hatred on the basis that Article 40.6.1 of the Irish Constitution which provides for free speech is incompatible. **Insert on other reservations of Ireland.**

³¹ Ireland ratified UNCAT in 2002 but only submitted its first report to the CAT in 2009. Ireland's report to ICESCR was due in 2007 but has not yet been submitted. This creates severe difficulties for NGOs and civil society groups who wish to engage with the TMB process as there is little indication of timing.

³² In response to a parliamentary question on the status of a CERD recommendation on 28 June 2005, the then Minister for Education and Science, Ms Mary Hanafin, TD, downplayed its significance. She stated that: "On 10 March last, the United Nations Committee on the Elimination of Racial Discrimination did not issue a judgment imposing an obligation on the Irish State to promote the establishment of multid denominational schools. Rather the committee encouraged Ireland to promote the establishment of nondenominational or multid denominational schools". This response is accessible at: <http://www.kildarestreet.com/wrans/?id=2005-06-28.2631.0>

³³ Refer to *Christian Blind Mission Ireland*, Submission to UN's Universal Periodic Review of Ireland, Oct 2011.

³⁴ In contravention of Articles 25 and 26 of ICCPR. For a briefing note on the *Clarke* case taken by FLAC see http://www.flac.ie/download/pdf/2010_07_14_clarke_case_briefing_document.pdf and for further details on a subsequent case involving a deaf man called for jury service go to <http://www.flac.ie/news/2010/11/29/judge-rules-deaf-man-can-sit-on-jury/>. In contravention of Articles 25 and 26 of ICCPR.

- ³⁵ Lunacy Regulations 1871. For example, the person cannot marry, is not free to travel etc. The Law Reform Commission made recommendations for change however, these have yet to be implemented. **Insert reference LRC.**
- ³⁶ In contravention of Ireland's obligations under the Hague Convention on the International Protection of Adults, which Ireland signed on 18 September 2008.
- ³⁷ Irish Human Rights Commission, November 2008, Observations on the Scheme of the Mental Capacity Bill 2008, available at www.ihrc.ie (last accessed 03/03/2011).
- ³⁸ **Insert reference LRC.**
- ³⁹ Refer to <http://www.iprt.ie/prison-facts-2> (last accessed 06/01/11) On 10 January 2011 the prison population was 4,369. Refer to Irish Penal Reform Trust, *IPRT Briefing on Overcrowding in Irish Prisons* available at [http://www.iprt.ie/files/IPRT Briefing on Overcrowding June 2010.pdf](http://www.iprt.ie/files/IPRT_Briefing_on_Overcrowding_June_2010.pdf) (last accessed on 06/01/11).
- ⁴⁰ Inspector of Prisons, *The Irish Prison Population: An examination of the duties and obligations owed to prisoners*, July 2010, p. 20. *Report to the Government of Ireland on the visit to Ireland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 25 January to 5 February 2010*, paragraph 48, p. 29.
- ⁴¹ Ombudsman for Children's Office, (9 February 2011), *Young People in St Patrick's Institution. This report concluded that the state was failing to meet its international obligations to children.* Available at www.oco.ie (last accessed 03/03/11).
- ⁴² **Insert CPT recommendations.** On [7th December 2010, then Minister for Justice and Law Reform](#), Dermot Ahern T.D., stated that the building of the National Children Detention Facility at Oberstown in Lusk would progress in 2011; however, this has yet to commence. With a 24% cut to the Irish Youth Justice Service budget in 2011 and just €500,000 of the budget assigned to capital expenditure (down from €8.229m in 2010), the new facility at Lusk may be in jeopardy. It is unclear whether there are any ring-fenced funds for this project at all.
- ⁴³ **Insert on criminal law codification project (LRC).**
- ⁴⁴ **Insert on AKiDwA research.** (Research undertaken by AKiDwA in September 2010 found that the number of women that have been subjected to FGM has increased from 2,585 to 3,170 within four years).
- ⁴⁵ **Insert reference re programme for government.**
- ⁴⁶ Irish Council for Civil Liberties (June 2008), *A Better Deal: The Human Rights of Victims in the Criminal Justice System*, available at www.iccl.ie.
- ⁴⁷ **Insert reference on FRALEX Annual Report 2010.**
- ⁴⁸ The scheme was established in 1979 on an administrative basis and was placed on a statutory footing by the Civil Legal Aid Act 1995. It is administered by the Legal Aid Board (LAB).
- ⁴⁹ The eligibility threshold for legal aid is very low. In order to qualify you must satisfy a means test and your annual disposable income must be less than €18,000. Moreover, civil legal aid is not free in Ireland except in cases of undue hardship. FLAC (2009) *Civil Legal Aid in Ireland: Forty Years On*, FLAC: Dublin, accessible at: http://www.flac.ie/download/pdf/cla_in_ireland_40_years_on_final.pdf
- ⁵⁰ The Civil Legal Aid Act designates certain areas outside the scope of the legal aid scheme including: defamation, disputes over land, licensing, conveyancing, election petitions, and class actions and so on. The legal aid scheme operates a number of exclusions in relation to housing rights, representation before tribunals including the Social Welfare Appeals Office, the Equality Tribunal and the Employment Appeals Tribunal and defamation. These areas of law can have a major impact on already vulnerable people and exclusion from the legal aid scheme may deny people on lower incomes access to the legal system.
- ⁵¹, The budget of the Legal Aid Board suffered a six per cent cut in 2009/2010 while the asylum service Refugee Legal Service (RLS) was subject to a 21 per cent cut in funding for 2011⁵¹ on top of a total combined decrease of ten per cent for 2009 and 2010. 16 State-run centres have a waiting list of more than five months (of which four have a waiting list of seven months or more) as of December 2010.
- ⁵² Section 8, see www.irishstatutebook.ie.
- ⁵³ Concluding Comments of the UN Human Rights Committee: Ireland, 24 July 2000, UN Doc A/55/40, at para 15 and Concluding Observations of the Human Rights Committee: Ireland, 30 July 2008, UN Doc CCPR/C/IRL/CO/3, at para 20. See also, Communication No 819/1998: Ireland 26 April 2001, *Kavanagh v. Ireland*, UN Doc: CCPR/C/71/D/819/1998.
- ⁵⁴ **Insert information as to why it needs reform.**
- ⁵⁵ Section 36, see www.irishstatutebook.ie. Section 37 of the Act provides the Garda Síochána with, *inter alia*, powers to seize and remove copies of blasphemous statements following a conviction under Section 36. Section 36

describes “blasphemous matter” as that which is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion.

⁵⁶ The current Parliament is 15.1% female pushing Ireland up the world rankings to 79th place for female political representation (Inter-Parliamentary Union, 2011).

⁵⁷ **Insert references on OSCE/ODIHR reports 2007 (p. 35) and 2011.** Although, the current Parliament is 15.1% female pushing Ireland up the world rankings to 79th place for female political representation (Inter-Parliamentary Union, 2011). Only 15% of candidates in the 2011 General Election were female and an examination of the composition of current key decision-making bodies reveals a shocking absence of women. Refer to the Report of the Joint Committee on Justice, Defence, Equality and Women’s Rights, October 2009, *Women’s Participation in Politics* (second report). This report enjoyed cross-party support. TMB RECOMMENDATION. The Special Group on Public Service Numbers & Expenditure comprised five men and one woman; the Commission on Taxation consisted of thirteen men and five women; the Joint Oireachtas Committee on Finance & Public Service is composed of sixteen men and just one woman; and, women are 51% of the population, but make up just 13% of members of the Dáil and the Seanad, and just 16% of local councils. This percentage is set to fall with 2 of our 23 women TDs departing the Dáil.

⁵⁸ Article 41.1.

⁵⁹ Article 41.2.

⁶⁰ Since January 2010, Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. See www.irishstatutebook.ie.

⁶¹ See www.marriagequality.ie and www.glen.ie.

⁶² **Insert reference on this.**

⁶³ *Foy -v- An t-Ard Chláráitheoir, Ireland and the Attorney General* [2007] IEHC 470.

⁶³ FLAC has made a submission to the Advisory Group available at http://www.flac.ie/download/pdf/flacs_submission_to_the_gender_recognition_advisory_group.pdf

⁶⁴ National Women’s Council of Ireland Pre Budget submission 2011. Almost 14%, and rising, of the labour market is unemployed (Central Statistics Office (2010a)). Central Statistics Office (2010b) Indicator S3: Unemployed plus marginally attached plus others not in education who want work plus underemployed part-time workers as a percentage of the Labour Force plus marginally attached plus others not in education who want work. While male construction workers initially dominated the rise in unemployment, in 2010 the increase in women on the Live Register has exceeded the increase for men.

⁶⁵ The last Irish Government cut the minimum wage rate from €8.65 per hour to €7.65.

⁶⁶ Calculated as a proportion of family income, the cost is just under 30% in Ireland (only the UK is higher at 33%), compared to an average of around 12.5% in the EU and OECD, see www.oecd.org/els/social/family/database.

⁶⁷ Under existing Irish law, asylum seekers are currently refused the right to work with Ireland being one of only two European countries who still withhold this right. The denial of the right to work is a cause of huge distress and frustration with long term consequences, particularly for those who have lived longer than six months in Direct Provision.

⁶⁸ Section 8 of the Employment Permits Act provides that an employment permit facilitates the employment of a foreign national in the State in a particular economic sector for the duration of the permit’s validity. (Department of Enterprise, Trade and Innovation, *Employment Permit Arrangements, Guide to Work Permits, May 2010, p. 3; Guide to Green Card Permits*, August 2010, p. 4). The Act provides for a Ministerial power to refuse the issuance of a new permit in the first twelve months of a permit being issued. No statutory exception is provided for in the cases of exploitation and in such circumstances, a solution for the permit-holder is dependent on the existence of an alternative offer of employment, the job not being excluded from the ‘eligible job categories’ being full-time and paying at least €30k per annum as well as an employer willing to apply for a permit (<http://www.deti.ie/labour/workpermits/elements/ineligible.htm>).

⁶⁹ It was introduced to prevent welfare tourism following the enlargement of the European Union in May 2004. However, as it was found to prevent freedom of movement for EU migrant workers and no longer applies to them.

⁷⁰ According to the latest figures available from the end of December 2010 (available at [http://www.ria.gov.ie/en/RIA/RIADec\(A4\)2010.pdf/Files/RIADec\(A4\)2010.pdf](http://www.ria.gov.ie/en/RIA/RIADec(A4)2010.pdf/Files/RIADec(A4)2010.pdf)), there are currently 6012 asylum seekers in Direct Provision accommodation of which over 30% are children. The Government originally envisaged that a person would remain within the direct provision system on ‘on a short term basis (not more than six months)’ however the latest figures show that 2778 (46%) of residents have spent more than 3 years in such accommodation.

⁷¹ Following on from successful litigation, the government changed the law to exclude all people seeking a form of protection in Ireland from accessing social welfare payments other than once-off emergency payments or the small weekly allowance of €19.10 for an adult or €9.60 for a child. For more information see page 8 of FLAC (January 2011) *Briefing for UN Independent Expert on Human Rights and Extreme Poverty* available at http://www.flac.ie/download/pdf/briefing_for_un_independent_expert_on_human_rights_and_extreme_poverty_january_2011.pdf

⁷² See page 71 of the *National's Children's Strategy 2000 – 2010* available at http://www.dohc.ie/publications/pdf/childstrat_report.pdf?direct=1

⁷³ The fact that a person seeking protection may live in the State for a number of years while awaiting a final decision on his or her immigration status is not regarded as relevant in the context of being found habitually resident for the purposes of social welfare. Prior to the introduction of the Condition, Child Benefit was paid to the parents of all children living in the State regardless of their immigration status. However, the children of asylum or protection applicants and other persons not regarded as habitually resident are now denied the payment. This creates an inequality between children within the asylum process as parents who were in receipt of the payment before May 2004 continue to receive it, as do parents who have been granted the payment on appeal, whereas the parents of children who were born here or arrived after the introduction of the Condition do not.

⁷⁴ There is only one hospital in the State, Loughlinstown where transgendered people can attend. There is only one consultant who provides specialist medical care to transgendered people. While the numbers are difficult to ascertain due to the stigma around transgendered issues, it is estimated that there are [insert figure] transgendered people in Ireland.

⁷⁵ **Insert reference on these.**

⁷⁶ Travellers continue to suffer extremely poor health outcomes compared to the majority population. A recent peer led All Ireland Traveller population based research report indicated that Travellers experience lower life expectancy, higher rates of infant mortality, higher mortality in relation to external causes (alcohol, drugs, suicide), higher rates of respiratory disease illness and discrimination when accessing services. Department of Health and Children, 2010, All Ireland Traveller Health Study p 43. Estimated population of Travellers (Republic of Ireland) 36,224.

⁷⁷ Traveller Accommodation Act 1998 **16.**—(1) A relevant housing authority shall, in securing the implementation of an accommodation programme, or an amendment to or replacement of an accommodation programme, take **any reasonable steps as are necessary** for the purpose of such implementation. Legislation designed to ensure adequate provision of culturally appropriate accommodation for Travellers is weak and ineffectual with many local authorities failing to implement agreed policy. European Union Agency for Fundamental Rights (FRA) Housing conditions of Roma and Travellers in the European Union Comparative report 2009 pp 34 Available at: http://www.fra.europa.eu/fraWebsite/attachments/Roma_Housing_Comparative-final_en.pdf

⁷⁸ According to a recent comprehensive Traveller Population survey (the All Ireland Traveller Health Study 2010) most Travellers now live in houses (73.3%), followed by trailer/mobile home or caravan (18.2%). Most homes had central heating (92.9%), both hot and cold water (94.4%); yet this means that 7.6% did not have access to running water - 2,753 Traveller men, women and children. Significant numbers of families in group housing or sites reported lack of footpaths, public lighting, fire hydrants and safe play areas. See Pavee Point, 2011, Irish Travellers and Roma, Available at: http://www.paveepoint.ie/publications/UNCERD_RELEASED.pdf

⁷⁹ Pavee Point, 2011, Irish Travellers and Roma, Available at: http://www.paveepoint.ie/publications/UNCERD_RELEASED.pdf

⁸⁰ Section 24, Housing (Miscellaneous Provisions) Act 2002, Amendment to Section 19C.-(1) Criminal Justice (Public Order) Act, 1994. Available at <http://www.irishstatutebook.ie/2002/en/act/pub/0009/print.html#partiii-sec24>. Section 24, Housing (Miscellaneous Provisions) Act 2002, Amendment to Section 19F.-(1) Criminal Justice (Public Order) Act, 1994. Available at <http://www.irishstatutebook.ie/2002/en/act/pub/0009/print.html#partiii-sec24>. While the law does not refer, either implicitly or explicitly, to Travellers, a government press release states that the reasons behind the passing of the act were to deal with the 'large encampments.' According to the Irish Traveller Movement, a National Traveller representative body specialising in accommodation issues, , the law has been used almost exclusively against Travellers. See Irish Traveller Movement (ITM) (undated) (*A Briefing document on the use of the Housing (Miscellaneous Provisions) Act, 2002*, available at: www.itmtrav.com (16.5.2009).

⁸¹ Programme for government.

⁸² Ireland's Constitution was amended in 1983 to acknowledge "the right to life of the unborn", measured as equal to that of the pregnant woman, and provides that the State will take the necessary steps to vindicate this right.

⁸³ **Insert reference on this.**

⁸⁴ *A, B and C v Ireland*.

⁸⁵ Women in circumstances including where the pregnancy poses a risk to life or health of the pregnant woman, in cases of rape or incest and in situations where it is established that the foetus will not survive outside the womb cannot access abortion in Ireland. The criminalisation of abortion disproportionately impacts on vulnerable and disadvantaged women and girls who cannot raise the necessary funds to travel abroad, who cannot leave the jurisdiction because of immigration restrictions and young women in the care of the State.

⁸⁶ **Reference programme for government.**

⁸⁷ All primary schools are run by private bodies to which the state contributes financial support. Secondly, 98 per cent of these private organisations are religious. This means that the vast majority of primary schools in the state, though publicly funded, are privately run Christian schools. Out of more than 3,170 primary schools in the country, only about 55 are privately initiated multi-faith schools. This results in a lack of choice for parents who are often in the position where they cannot find a school place for their child and are forced to baptize their child into the Catholic faith in order to get a school place for the child. Furthermore, in those places outside the main urban areas, parents have no choice but to send the child to the local Christian school. Doctrinal religious instruction is also taught in the schools through timetabled religious instruction and through the integrated curriculum where religious teaching must be incorporated into all subjects.

Cross reference to right to religion. [Work this up, cross reference, TMB recommendations, ET submission]

⁸⁸ Special educational needs include children with learning disability; children with language support requirements, children from culturally disadvantaged backgrounds e.g. Travellers. For example, there has been a recent revision of classroom ratios for the allocation of Support Teachers for Traveller pupils in light of the economic downturn. See Department of Education and Skills circular, Circular No. 0017/2011. Available at:

http://www.into.ie/ROI/InformationforTeachers/DESCirculars/DESCirculars2011/Circular%2017_2011.pdf

⁸⁹ Bunreacht na hÉireann, (Constitution of Ireland) Article 42.(4) Available at:

http://www.taoiseach.gov.ie/attached_files/Pdf%20files/Constitution%20of%20Ireland.pdf

⁹⁰ **Reference required on cost of primary education (incl books).**

⁹¹ E. Eivers, G. Shiel and F. Shortt (2005) *Literacy in Disadvantaged Primary Schools: Problems and Solutions*, Dublin: Education Research Centre, p. 6.

⁹² Eligibility criteria for receipt of third level financial aid are set out in section 4.5 (page 7) of the Higher Education Grants Scheme Available at: http://www.education.ie/servlet/blobservlet/he_heg_scheme.pdf?language=EN

⁹³ Refer to *Christian Blind Mission Ireland*, Submission to UN's Universal Periodic Review of Ireland, Oct 2011.

⁹⁴ Ireland has committed to reaching the UN target of spending 0.7% of national income by 2015. See Press release from Department of Foreign Affairs 9/12/2009 Available at: <http://www.dfa.ie/home/index.aspx?id=83103>

⁹⁵ Ireland Embracing Cultural Diversity: National Action Plan Against Racism – Not an End, Just a Beginning 2008, Available at: [http://www.integration.ie/website/omi/omiwebv6.nsf/page/PCHK-7PNHH41312727-en/\\$File/NPAR%20Final%20Report%20Not%20an%20End%20Just%20a%20Beginning.pdf](http://www.integration.ie/website/omi/omiwebv6.nsf/page/PCHK-7PNHH41312727-en/$File/NPAR%20Final%20Report%20Not%20an%20End%20Just%20a%20Beginning.pdf)

⁹⁶ There exists very little data on the number of migrant Roma in Ireland with demographic information currently collected on the basis of nationality and not ethnicity. The most recent report (2005) estimated that there are at least 3,000 migrant Roma in Ireland. See Lesovitch, I. 2005 Roma Educational Needs in Ireland, Available at: http://www.paveepoint.ie/pdf/Roma_Report.pdf

⁹⁷ Irish criminal law does not define racist or related hate offences as specific offences, nor does it expressly provide for motivation as an aggravating circumstance to be taken into account, except through the exercise of judicial discretion when sentencing. Ireland's only legislation dedicated exclusively to hate crime (including racist crime) is the Prohibition of Incitement to Hatred Act 1989. Non incitement offences with a racist motivation are dealt with in a generic fashion under the ordinary criminal law. See Scweppe and Walsh, 2008, *Combating racism and xenophobia through the criminal law*. Available at: [http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-7UPE6D1121207-en/\\$File/Combating%20Racism%20with%20the%20Criminal%20Law.pdf](http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-7UPE6D1121207-en/$File/Combating%20Racism%20with%20the%20Criminal%20Law.pdf)

⁹⁸ The CSO releases one headline figure on the number of racist incidents reported to the police each year. Available at <http://www.integration.ie/website/omi/omiwebv6.nsf/page/statistics-RacistIncidentsstatisticscrime-en>

⁹⁹ EU Fundamental Rights Agency, 2009 European Union Minorities and Discrimination Survey, Available at: [http://fra.europa.eu/fraWebsite/attachments/eumidis_mainreport_conference-edition_en .pdf](http://fra.europa.eu/fraWebsite/attachments/eumidis_mainreport_conference-edition_en.pdf)

¹⁰⁰ CCPR/C/IRL/CO/3 Available at:

<http://www.dfa.ie/uploads/documents/Political%20Division/concluding%20observations%20of%20the%20human>

[%20rights%20committee%20on%20irelands%20third%20periodic%20report%20under%20the%20international%20covenant%20on%20civil%20and%20political%20rights.pdf](#)

¹⁰¹ Equality Authority 2006, Traveller Ethnicity available at: www.equality.ie/getFile.asp?FC_ID=263&docID=556

¹⁰² Equality Authority 2006, Traveller Ethnicity available at: www.equality.ie/getFile.asp?FC_ID=263&docID=556

¹⁰³ **Insert reference on this.**

¹⁰⁴ **Insert reference on this.**

¹⁰⁵ The State's Reception and Integration agency operates a system of dispersal and direct provision. See http://www.ria.gov.ie/en/RIA/Pages/Reception_Dispersal_Accommodation

¹⁰⁶ Explain this in greater detail.

¹⁰⁷ Refer to programme for government.

¹⁰⁸ **Reference this from submissions.**