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Ireland

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Abbreviations

CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CoFPI	Commission on the Future of Policing in Ireland
CRPD	Convention on the Rights of Persons with Disabilities
CRPD-OP	Optional Protocol to the Convention on the Rights of Persons with Disabilities
ECHR	Council of Europe European Convention for the Protection of Human Rights and Fundamental Freedoms
EDI	Equality, Diversity & Inclusion Strategy Statement & Action Plan 2020–2021
ESRI	Economic and Social Research Institute
ETB	Education and Training Board
ETBI	Education and Training Boards Ireland, SOLAS
EU	European Union
FET	Further Education and Training
GNPSB	Garda National Protective Services Bureau
GP	General Practitioner (Doctor)
GYDP	Garda Youth Diversion Project
HEA	Higher Education Authority
HEI	Higher Education Institution
HSE	Health Service Executive
IHREC	Irish Human Rights and Equality Commission
ISL	Irish Sign Language
Istanbul Convention	Council of Europe Convention on preventing and combating violence against women and domestic violence
LGBTI+	Lesbian, Gay, Bisexual, Transgender, or Intersex
LSRA	Legal Services Regulatory Authority
MIS	Migrant Integration Strategy
NAP	National Access Plan for Equity of Access to Higher Education (2015–2021)
NAPAR	National Action Plan Against Racism
NARC	National Anti-Racism Committee
NCAF	National Climate Change Adaptation Framework
NDIS	National Disability Inclusion Strategy
NGO	Non-Government Organisation
NPHE	National Public Health Emergency Team
NPMs	National Preventive Mechanisms
NSAC	National Security Analysis Centre
NSWG	National Strategy for Women and Girls
NTACC	National Traveller Accommodation Consultative Committee

NTRIS	National Traveller and Roma Inclusion Strategy
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
PLC	Post-Leaving Certificate course
PUP	Pandemic Unemployment Payment
SAPs	Sectoral Adaptation Plans
SDGs	Sustainable Development Goals
SHRAC	Strategic Human Rights Advisory Committee
SPACE Report	Council of Europe Annual Penal Statistics
SPG	St Patrick's Guild adoption society
TPHCP	Traveller Primary Health Care Project
TUSLA	Child and Family Agency
UN	United Nations
UNCRPD	UN Convention on the Rights of Persons with Disabilities
UNSCR	UN Security Council Resolution
UPR	Universal Periodic Review
WHO	World Health Organisation

I. Introduction

1. Ireland is committed to the promotion and protection of human rights and was pleased to engage with Cycle 2 of the UPR. Ireland welcomes the 3rd UPR of its human rights record as an opportunity to reflect on what has been achieved and on the challenges faced, and to report on developments since its interactive dialogue in May 2016.¹ The UPR is a highly beneficial process in which states can learn from and assist each other in the protection of human rights and fundamental freedoms.

II. Methodology and consultation process

2. This report complements the voluntary Interim Report which was submitted in July 2020.² It comprises contributions from Irish Government departments which provide an overarching view of significant developments since the 2016 UPR and the 2020 midterm report. A separate annex lists the current Irish position in respect of the UPR recommendations from 2016, using a simplified classification of either “supported” or “noted” for each recommendation.

3. In preparing this report, the Irish Government consulted various civil society organisations. The consultation process was based on an online public consultation held on 5 May 2021 which was hosted by the Irish Government, and 17 written submissions.

4. It is a priority for the Irish Government that the voices of children and young people are heard. Therefore, a series of consultations with children and young people were undertaken. In this regard, 1,100 children aged between 4 and 13 years were recruited through primary schools, and 46 young people aged 13 to 18 years were recruited from selected Comhairle nÓg (youth councils). The children and young people that participated represented both rural and urban locations, and were from a variety of backgrounds.

5. The overall perception from the consultations was that young people’s rights were generally valued in Ireland. However, it was also suggested that not all children in Ireland, such as children who are homeless or in direct provision or special care, can enjoy all of their rights. A number of areas requiring further attention were highlighted including homelessness, a need for greater flexibility in the education system and more equality in the provision of health care as well as ensuring the voice of the child is heard, valued and acted upon. A summary report of consultation with children and young people is attached to this report.

III. Institutional framework for the protection of human rights

6. The Irish Human Rights and Equality Commission (IHREC)³ was established as an independent statutory body on 1 November 2014 to be Ireland’s national human rights and equality institution. Its purpose is to promote and protect human rights and equality in Ireland and to build a culture of respect for human rights, equality and intercultural understanding in Ireland. It has “A” status as a National Human Rights Institution with the International Coordinating Committee.

7. The Commission has its own budget vote and reports directly to the Parliament. The Commission’s Director is the Accounting Officer and is directly accountable to the Public Accounts Committee, which is the Parliamentary Committee responsible for overseeing the spending of public funds. In 2014, the Commission’s funding increased by 45% to €6.299 million per annum. In 2021 this increased further to €6.933 million per annum.

8. Section 42 of the Irish Human Rights and Equality Commission Act 2014 places a statutory duty on public bodies in performing their functions to have regard to the need to eliminate discrimination, promote equality of opportunity and protect the human rights of people to whom they provide services and staffs when carrying out their daily work. This is known as the “Public Sector Equality and Human Rights Duty”.

9. Section 42 ensures that equality and human rights are a priority for public bodies in the execution of their functions. IHREC has a mandate to give guidance to and encourage public bodies in developing policies and good practice on human rights and equality and has produced guidance to support compliance with Section 42.

10. The Workplace Relations Commission⁴ was established on 1 October 2015 as an independent statutory body to which claims can be taken where a person experiences discrimination in employment or employment-related matters. Its core services include inspection of employment rights compliance; provision of information; processing of employment agency; protection of young persons' employment licences; and provision of mediation, conciliation, facilitation and advisory services. (Recommendations 135.33 and 136.8.)

11. Ireland has ratified the core UN human rights treaties and is committed to continuing the process of accession to, or ratification of, the pending main international human rights instruments. Article 29.3 of the Constitution provides that, "Ireland accepts the generally recognised principles of international law as its rule of conduct in its relations with other States". These principles include human rights law insofar as it forms part of customary international law. Like other common law legal systems, the Irish legal system is a dualist one. This means that the terms of an international agreement do not become part of the domestic law of the State unless expressly incorporated by or under an Act of the Oireachtas. It is important to note that Ireland does not become party to treaties until it is first in a position to comply with the obligations imposed by the treaty in question, including amending domestic law as necessary. Often it will not be possible for the State to meet the obligations it assumes under the terms of an international agreement without first taking steps required by domestic law, or otherwise, enabling it to do so. The steps required may include for example: enactment of primary or secondary legislation, approval of the terms of the agreement by Dáil Éireann where they involve a charge on public funds, or administrative arrangements (for instance it may be necessary to recruit or reorganise staff in order to carry out administrative processes required under the terms of the agreement).

IV. Promotion and protection of human rights: Developments, achievements and challenges since second cycle

A. Right to life, liberty and security of the person

Combating domestic, sexual and gender-based violence

12. Ireland's Second National Strategy on Domestic, Sexual and Gender-based Violence 2016–2021⁵ is a living document informing the direction the Irish Government will take in partnership with civil society to tackling domestic, sexual and gender-based violence. A new, third, Strategy will be in place by end-2021 and is being developed in collaboration with civil society. The actions in the Strategy facilitated the transposition of the Victims Directive (2012/29/EU⁶) in November 2017 and Ireland's ratification of the Istanbul Convention in 2019 (Recommendations 135.71, 135.72, 135.73, 135.74, 135.75, 135.99, 135.100).

13. The Domestic Violence Act 2018⁷ introduced the following measures: creation of the offence of coercive control; improved access for victims to barring orders; provision of greater supports for victims in the court process; provision for aggravating factors for sentencing and contained new provisions pertinent to children when deciding a domestic violence barring order. The 2018 Act also repealed the provisions of the Family Law Act 1995,⁸ the Civil Registration Act 2004⁹: as a result of these amendments, it is no longer possible for a person under 18 to marry in Ireland. (Recommendations 135.101, 135.102, 136.38, 135.88, 135.89, 136.39, 136.41, 136.42, 136.40.)

Enhanced legislation on sexual offences

14. The Criminal Law (Sexual Offences) Act 2017¹⁰ was enacted in 2017 to enhance and update laws to combat the sexual exploitation and sexual abuse of children, including

new offences relating to child sexual grooming and new and strengthened offences to tackle child sexual abuse material. The Act also introduced a statutory definition of consent, criminalised the purchase of sexual services and introduced a new offence addressing public indecency. The Criminal Law (Sexual Offences) (Amendment) Act 2019¹¹ introduced stricter penalties for repeat sexual offenders and equalised the maximum penalties for incest for both male and female offenders. In addition, the General Scheme of a new Sex Offenders (Amendment) Bill¹² has been developed following a comprehensive review of current law and administrative practice. The Bill aims to enhance current systems for assessment and management of convicted sex offenders and to put those systems on a statutory footing. (Recommendations 135.26 and 136.2.) The Government is implementing a detailed Action Plan, Supporting a Victim's Journey¹³, of legislative and other measures to better protect victims and vulnerable witnesses in sexual crime cases.

Trafficking in persons

15. The Second National Action Plan to Prevent and Combat Human Trafficking in Ireland, published in October 2016,¹⁴ identified 65 actions to combat trafficking and assist victims. (Recommendations 135.150, 135.151.) A new Action Plan is being developed. A human trafficking stakeholders' forum was established in July 2020¹⁵ with civil society organisations and Government approval has been obtained for a revised National Referral Mechanism. The Garda National Protective Services Bureau (GNPSB)¹⁶ in the Irish police service provides advice, guidance and assistance to Gardaí (police officers) investigating a range of issues, including human trafficking, child protection, and victim support. (Recommendations 136.95, 136.8.)

Victims of crime

16. The Criminal Justice (Victims of Crime) Act 2017¹⁷ transposes the EU Directive (2012/29/EU) establishing minimum standards on the rights, support and protection of victims of crime in national law. The Act provides for a set of new statutory rights for victims of crime, including comprehensive information on the criminal justice system and their role within it, the right to information about the progress of the investigation and any court proceedings, special measures to be used in the presentation of evidence, the right to provide a victim impact statement, and a statutory right to be accompanied by a support worker during the criminal process. A new and expanded Victims Charter¹⁸, published in February 2020, describes the criminal justice system from the perspective of a victim of crime, so that victims can understand what to expect from their interaction with the system. (Recommendation 135.26.)

Legacy issues concerning people who were in institutional care

Magdalen Laundries

17. The scheme of lump-sum payments and supports for women who were admitted to and worked in the Magdalen Laundries was extended by Government, following a report by the Ombudsman in 2017,¹⁹ to include a further 14 adjoining institutions. The scheme remains open; to date, €32.25 million has been provided to 807 women. The women are also being given access to a range of primary and community health services free of charge.

Mother and Baby Homes and illegal birth registrations

18. The Irish Government has taken action to address historic instances of human rights issues. The Commission of Investigation into Mother and Baby Homes and certain related matters was established by the Government in February 2015 to provide a full account of what happened to vulnerable women and children in these homes from 1922 to 1998. The Commission's report was published on 12 January 2021.²⁰ Immediate counselling support, including an out-of-hours service, was made available to support survivors and remains in place. In responding to the Commission's report, the Irish Government also approved the development of an Action Plan encompassing 22 specific measures, including: access to personal information; archiving and databases; education and research; memorialisation; restorative recognition; and dignified burials. Work has begun on implementing these

measures. On 13 January 2021, a State apology was made to survivors of the homes on behalf of the Government.²¹ This formed the basis for restorative action and was the starting point for the Strategic Action Plan to be developed following publication of the Commission's report and the Government response. A centrepiece of the Government's response is the commitment to develop a Restorative Recognition Scheme. An interdepartmental group has been tasked with developing detailed proposals for this scheme.

19. Another key element of the Government's response is to provide birth and early life information, including full and unreacted copies of birth certificates, to persons who were adopted or who were in care. Currently, access to this information is significantly limited, and a number of legislative attempts to address this issue over the last twenty years have failed. In order to address this, the Minister is developing a Birth Information and Tracing bill which will:

- Provide full and un-redacted access to birth certificates, birth information, early life information, medical information and provided items.
- Will cover adopted people, people who were subject to illegal birth registration and persons who were 'boarded out'.
- Will create a statutory Contact Preference Register.
- Will create a statutory Tracing Service.

20. The Heads of Bill are currently referred to a Joint Oireachtas Committee for Pre-Legislative Scrutiny, who are considering submissions on this. The Committee's report will inform the final text of the Bill, which is expected to be published in autumn 2021.

21. Following the discovery of evidence of illegal birth registrations in the files of an adoption society, an independent review of a sample of adoption and related files was commissioned in early 2018. The report was published on 9 March 2021.²² The review concluded that it is unlikely that a more comprehensive review of records would provide clear information on the existence of markers, or wording suggestive of markers, and the degree to which they may be linked to incorrect birth registrations. After the review was published, the Minister for Children, Equality, Disability, Integration and Youth asked the Special Rapporteur on Child Protection to consider the very significant complexities and challenges, including the deep ethical issues, that arise in relation to illegal birth registrations, and to propose an appropriate course of action. The Special Rapporteur is due to report by 31 October 2021.

22. After the Mother and Baby Home Commission's report was published, an Interdepartmental Working Group was established, led by the Department for Children, Equality, Disability, Integration and Youth, to address the range of issues arising for people because of their confirmed illegal birth registration as evidenced in the St Patrick's Guild (SPG) files. These issues include access to information, birth registration, official identity documents, and inheritance and tax issues. The Group was tasked with developing a set of integrated proposals for those affected by illegal birth registration from the SPG files, which was submitted to the Minister in spring 2021. The Minister intends to address issues relating to succession, birth registration and acknowledged parentage in the Birth Information and Tracing Bill, currently being drafted, and he is engaging with the individuals concerned to ensure that the proposals meet their needs.

23. Tusla adoption services began contacting the SPG individuals in summer 2018. That process is not yet complete, having been significantly delayed by the Covid-19 pandemic. The last update provided to the Department in August 2020 shows that 111 had been contacted and informed. A number of others have been confirmed as deceased. It is considered important that adoptees and people who were the subject of an illegal birth registration have access to birth certificates and early life information, and the Minister is working to find a solution to the issue of releasing birth information. The Minister is using the Birth Information and Tracing Bill to address the legal issues confronting individuals who were the subject of illegal birth registration.

24. The policy intent of the information and tracing legislation, as it applies to the subjects of an illegal birth registration, is as follows:

- to provide the same services to them as to adoptees;
- to provide clear routes for people who suspect their birth may have been incorrectly registered to make inquiries about it;
- to provide a mechanism to access birth and early life information related to illegal birth registration, where that information is available on files accessible to the State;
- to provide a clear route for a birth parent who suspects their child's birth was registered incorrectly to make inquiries to the relevant State bodies and have that suspicion confirmed or otherwise;
- to provide similar supports to those for adoptees, regarding access to tracing services and social worker assistance and support, as appropriate;
- to ensure that all agencies have the necessary statutory basis to share information to achieve the purposes set out above (Recommendation 136.51).

Access to justice

25. Considerable progress has been made in improving access to justice since Cycle 2.

Judicial Council

26. The establishment of a Judicial Council²³ on 17 December 2019 formalised a number of important judicial functions, particularly on the conduct of judges, including:

- provision for the continuing education of judges;
- creation of sentencing guidelines;
- creation of a judicial code of conduct and the introduction of mechanisms for dealing with complaints.

Legal Services Regulatory Authority

27. The Legal Services Regulatory Authority²⁴ came into substantial operational mode in October 2019. It serves to regulate the legal professions and started receiving and investigating complaints relating to solicitors and barristers. It aims to instil public and consumer confidence in the legal profession by providing guidance and best practice for legal practitioners.

28. Other key reforms under the Legal Services Regulation Act 2015²⁵ include the roll-out of limited liability partnerships, new and more consumer-friendly legal-costs requirements, the introduction of legal-services-advertising regulations for both solicitors and barristers, and the establishment of a new and independent Legal Practitioners' Disciplinary Tribunal.

Civil Justice Review

29. The report stemming from the Review of the Administration of Civil Justice in the State was published in December 2020.²⁶ It made over 90 recommendations to make the civil justice system easier and more efficient for people to access.

Court of Appeal

30. The Court of Appeal²⁷ was established in October 2014 following a decision by the People in a referendum. It deals with appeals from the High Court in civil cases and with appeals from the Circuit Criminal Court, the Central Criminal Court, or the Special Criminal Court in criminal cases.

Increase in judges

31. In 2015, legislation was enacted to increase the number of High Court judges by two. In 2019, the number of ordinary judges of the Court of Appeal was increased from nine to fifteen. The Government has committed to establishing a working group to review the number and type of judges required, to ensure access to justice in all court jurisdictions over the next five years.

32. The Criminal Procedure Bill²⁸ to further improve efficiencies in criminal trials and court proceedings, including establishing pre-trial hearings, has been published and is before the Oireachtas at present.

33. In 2020, the Courts Service adopted an ambitious ten-year modernisation programme²⁹ aimed at improving access to justice through deploying new technology and modern ways of working.

Family Court Bill

34. In September 2020, the Government approved the drafting of a Family Court Bill³⁰ to provide for the establishment of a District Family Court, a Circuit Family Court and a Family High Court as divisions within the existing court structures. This is part of an ongoing process to improve the resolution of family-based problems that require a legal solution.

Reform of policing

35. Established in 2017, the Commission on the Future of Policing in Ireland (CoFPI)³¹ was tasked with examining comprehensively all aspects of policing, including the structures and management arrangements for the most effective delivery of the functions currently carried out by An Garda Síochána (AGS), the Irish police service.

36. In September 2018, CoFPI published its report, *The Future of Policing in Ireland*, which placed an emphasis on understanding policing as including not only the prevention or detection of crime but also the prevention of harm and the protection of vulnerable people.

37. *A Policing Service for the Future*,³² which was published in December 2018, is the framework in which the CoFPI recommendations are being implemented. CoFPI recognises that human rights are the foundation and purpose of policing. An Garda Síochána established a Human Rights Unit and has published its new Human Rights Strategy. Implementation of this Strategy is overseen by a Strategic Human Rights Advisory Committee (SHRAC), whose membership includes NGOs, the Irish Human Rights and Equality Commission and the Department of Justice.

38. Other reforms include the establishment of an Anti-Corruption Unit and the publication of the Equality, Diversity & Inclusion Strategy Statement & Action Plan 2020–2021.³³

39. Progress has also been made on legislative reform. In April 2021, the General Scheme of the Policing, Security and Community Safety Bill was published.³⁴ Its aims are to improve the performance and accountability of the State's policing and security services, and to support communities throughout the State to be and feel safe. The Bill will, among other things, recognise the prevention of harm to individuals (particularly those who are vulnerable or at risk) as an explicit objective of An Garda Síochána, make the safety of communities a whole-of-Government responsibility, strengthen and consolidate independent external oversight of An Garda Síochána, enhance the internal governance of An Garda Síochána, and improve the independent oversight of the State's national security infrastructure. Having regard to the importance of human rights as the foundation and purpose of policing, the Bill will, among other things, strengthen the objective of An Garda Síochána to protect and vindicate the human rights of individuals and make explicit the responsibilities of the Garda Commissioner and the new board of An Garda Síochána in this matter.

40. In addition, the General Scheme of the Garda Síochána (Powers) Bill has been published. Among other things, the Bill aims to provide a clear and transparent statutory basis for the existing police powers of search, arrest and detention, and to place the fundamental and procedural rights of suspected and accused persons subject to those powers on a statutory basis.

Penal reform

Slopping out

41. Significant progress continues to be made to eliminate the practice of “slopping out”, which has now been virtually eliminated in Irish prisons. Around 1% of prisoners are now without access to in-cell sanitation. Work is ongoing to completely replace the outdated accommodation in a small number of prisons and to improve a number of other prisons. When this work is finished, “slopping out” will be completely eliminated across the prisons estate. (Recommendation 135.122.)

Prison numbers

42. The number of people in custody was 3,525 in January 2015. This had been steadily increasing until March 2020, when the trend ended with the onset of the Covid-19 pandemic. Despite the increase in prisoner numbers in Ireland in 2019, according to the Council of Europe Annual Penal Statistics, the rate of imprisonment in 2019 was 81.2 per 100,000. This is considerably lower than the average rate across the member states of the Council of Europe, at 125.9 (Recommendation 135.122, 135.134).

Ratification of OPCAT

43. Ireland ratified the UN Convention against Torture in 2002. Ireland is a signatory to the Optional Protocol and has committed to ratifying OPCAT before the end of 2021. (Recommendation 135.8.)

Hate crime

44. After extensive public consultation on reform of the 1989 Prohibition of Incitement to Hatred Act,³⁵ draft legislation has been developed to deal with incitement to hatred and hate crime, and the General Scheme of the Criminal Justice (Hate Crime) Bill 2021 was published in April 2021.³⁶ The Bill will create new, aggravated forms of certain existing criminal offences, where those offences are motivated by prejudice against a protected characteristic. The aggravated offences will generally carry an enhanced penalty, compared to the ordinary offence, and the record of any conviction for such an offence would clearly state that the offence was motivated by prejudice (Recommendation 135.115, 136.45, 135.116, 135.117).

B. Right to housing

Homelessness

45. The Irish Government commits to reducing and preventing homelessness in its current Programme. This is reflected in the allocation of €218 million in the 2021 Budget to homeless accommodation and related services. Based on data published at the end of May 2021,³⁷ the total number of people accessing emergency accommodation was 8,082. Over the previous 12 months, the number of people experiencing homelessness had fallen by over 13%.

46. The Programme for Government recognises that many households experiencing homelessness have additional support needs. It includes specific measures to address these needs, such as the transition of rough sleepers into sustainable accommodation, a focus on building and acquiring one-bed homes, and ensuring that there is dedicated funding to deliver health and mental health supports to homeless people with complex needs. A High-Level Homelessness Taskforce³⁸ has been established with organisations from civil society

to ensure these measures are implemented. (Recommendation 135.132, 136.60, 136.61, 135.130, 135.131, 135.133, 135.135.)

Travellers and Roma

47. Ireland has a robust legal framework that protects all individuals, including Travellers and Roma, against racial and other forms of discrimination.

48. In accordance with the Housing (Traveller Accommodation) Act 1998,³⁹ Local Authorities in Ireland are responsible for assessing Travellers' accommodation needs. The Department of Housing, Planning and Local Government has responsibility for ensuring that there are structures and supports in place to assist the Local Authorities, including a national framework of policy, legislation and funding.

49. Accommodation for Travellers is provided across a range of options, including Local Authority housing, Traveller-specific accommodation, private housing assisted by the Local Authority or voluntary organisations, private rented accommodation and through own resources.

50. The designated 2020 capital budget for the provision of Traveller-specific accommodation was €14.5 million. This was increased to €15.5 million for 2021. (Recommendations 135.147.)

51. The report of the Expert Review Group, which was established in 2018 to review the Housing (Traveller Accommodation) Act 1998, was published in July 2019. Its recommendations address four key themes: delivery reflecting need, planning, capacity and resources, and governance. A Programme Manager has been appointed to oversee implementation of the recommendations.

C. Rights of the child

52. Existing legislation and policies continue to give effect to the rights and obligations in the Convention of the Rights of the Child, and regard is given to this Convention when developing new legislation or policy. The Children First Act 2015⁴⁰ forms part of a suite of child protection legislation that also includes the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016⁴¹ and the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.⁴² This Act:

- raises awareness of child abuse and neglect;
- provides for mandatory reporting of child protection concerns by certain key professionals;
- improves child safeguarding arrangements in organisations providing services to children;
- places the Children First Inter-Departmental Implementation Group on a statutory footing to promote compliance by Irish Government departments with their obligations under the Act;
- provides for the establishment of a register of non-compliance for providers of relevant services who fail to give a copy of their child safeguarding statement to the Child and Family Agency when requested to do so; and
- provides for abolition of the defence of reasonable chastisement in relation to corporal punishment (Recommendations 135.86, 135.26, 135.76 and 135.90).

53. From 11 December 2015, children in Ireland have the full protection of the law on assault, regardless of who assaults them or in what setting (Recommendations 135.86). In the case of parents, or persons acting *in loco parentis*, the common-law defence of "reasonable chastisement" has now been abolished pursuant to section 28 of the Children First Act 2015. The use of corporal punishment is prohibited in all foster care and child care residential settings.

54. The Youth Justice Strategy 2021-2027⁴³ includes consideration of the full range of issues connected to children and young people at risk of coming into contact with the criminal justice system, including early intervention and preventative work, family support and diversion from crime, through to court processes and facilities, supervision of offenders, detention and reintegration and support after release. It will provide a framework to prevent offending behaviour occurring; divert children and young adults who commit a crime from further offending and involvement with the criminal justice system; and enhance criminal justice processes, detention and post-detention measures, to provide consistent support to encourage desistance from crime and promote positive personal development for young offenders.

55. The statutory Garda Youth Diversion Programme provides for the administration of Garda cautions and, where appropriate, supervision by a Garda Juvenile Liaison Officer. This work is supported by a network of Garda Youth Diversion Projects (GYDPs), and a key priority under the new Youth Justice Strategy will be to enhance the supports that these provide to children and young people at risk of involvement in criminal activity. The projects are community-based, multi-agency crime prevention initiatives which seek to divert young people who have become involved in crime or anti-social behaviour, and to support wider preventative work in the community and with families at risk. There are 105 GYDPs in place throughout the State, supporting up to 4,000 young people. While the existing GYDPs network is extensive, the new Strategy commits to ensuring full nationwide coverage, and will also prioritise a range of specialised interventions for those who are harder to engage through more general services. (Recommendations 135.87 and 135.125.)

D. Disability

UNCRPD

56. Ireland is committed to the full inclusion of people with disabilities in all aspects of society. Ireland ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in March 2018 as part of its commitment to the goal that people with disabilities should enjoy full and equal access to human rights. Ireland is currently finalising the Initial State Report under UNCRPD to the Committee, with the intention of submitting it to the UN Committee later in 2021. The drafting of the report has included significant stakeholder consultation, including direct consultation with people with disabilities and their representative groups.

57. The Irish Government is also committed to forming a UNCRPD national implementation plan, and work in that regard has recently begun. As indicated in the Programme for Government, the Government intends to ratify the Optional Protocol⁴⁴ to the Convention once the first reporting cycle has been completed. A Participation and Consultation Network⁴⁵ was established in late 2020 to build capacity in the disability community so that people with disabilities and their representative organisations can participate fully in policy development. One of the Network's first tasks was to include the voices of people with disabilities in the consultations on Ireland's first State Report to the UN on UNCRPD.

Disability strategies

58. Ireland has two national disability strategies that support the implementation of UNCRPD. The National Disability Inclusion Strategy 2017-2021 (NDIS)⁴⁶ is the key framework for policy and action to address the needs of persons with disabilities. The NDIS contains 123 actions, a number of which specifically identify and seek to address the remaining legislative measures to be taken to give full effect to the UNCRPD.

59. The Comprehensive Employment Strategy for People with Disabilities (2015-2024)⁴⁷ is the primary disability employment policy initiative in Ireland. It is a cross-government approach, bringing together actions by government departments and agencies to address the barriers and challenges to the employment of persons with disabilities. Its strategic priorities are to build skills, capacity and independence, to provide bridges and

supports into work, to make work pay, to promote job retention and re-entry to work, to provide coordinated and seamless supports and to engage employers.

Capacity legislation

60. The Assisted Decision-Making (Capacity) Act 2015⁴⁸ is a fundamental reform of the existing law on capacity, moving from a status approach to a flexible functional approach, whereby capacity is assessed on an issue- and time-specific basis. It will abolish the wards-of-court system for adults by repealing the Lunacy Regulation (Ireland) Act 1871. Adults currently in wardship will transition to the new decision-making support arrangements on a phased basis over three years from the date of commencement. It is expected that the Act will begin fully in June 2022. (Recommendations 135.40 and 135.65.)

Irish Sign Language Act

61. The Irish Sign Language (ISL) Act⁴⁹ 2017 was signed into law on 24 December 2017 and was commenced in 2020. The Act recognises ISL as a native language of the State and provides that the “community of persons using ISL shall have the right to use, develop and preserve ISL”. It sets out requirements and obligations on public bodies for the provision of ISL services. This includes a general duty on all public bodies to provide ISL users with free interpretation when availing of or seeking to access statutory entitlements and services and specific duties in regard to education, cultural life and legal proceedings.

E. Rights of people with disabilities

Cost of disability

62. Research into the cost of disability is currently under way. Three main items will be examined: the conceptual underpinnings of a cost of disability; a reasonable estimate of a cost of disability in varying circumstances for people living in Ireland; and the implications for public policy and service delivery. The research will provide quantitative estimates of the cost of disability using several approaches, including an international literature review, data analysis of the Household Budget Survey, the Survey on Income and Living Conditions and extensive stakeholder engagement with disability representative organisations. In addition, a survey of over 34,000 people with disabilities has been carried out. It was designed in consultation with a wide range of disability representative bodies and aimed to provide an opportunity to people living with a disability to contribute directly to the research.

Congregated settings

63. Article 19(a)⁵⁰ of the UNCRPD states that people with disabilities should be able to choose where, and with whom, they live. “Time to move on”⁵¹ is the governing strategy that seeks to ensure that housing arrangements, including for those moving from congregated settings, should be in ordinary neighbourhoods in the community, with individualised supports designed to meet their individual needs and wishes. At the end of 2020, there were less than 1,900 people remaining in congregated settings, while the majority, 6,500, live in group homes in the community. Several congregated settings have closed fully, and many more have closed specific units within the centres.

HSE Disability Capital Programme

64. The Disability Capital Programme that began in 2016 provides an allocation of €100 million over a number of years for the provision of housing to support people transitioning from congregated settings. The aim is to offer a choice to people transitioning about where and with whom they live and to ensure that the housing they are offered meets their needs. This has included purchasing and adapting homes, new builds and large-scale refurbishments, as well as investing capital funds in the upgrade of long-term private rental properties and in collaborative projects with local authorities and the voluntary housing sector.

F. Right to education

Admission to schools

65. The Education (Admission to Schools) Act 2018⁵² commenced in 2020. It strives to create a new more parent-friendly, equitable and consistent approach to how school admissions policy operates for the almost 4,000 primary and post-primary schools in this country. The overall objective is to provide a framework for school enrolment that is designed to ensure that every child is treated fairly and that the way in which schools decide on applications for admission is structured, fair and transparent.

66. The provisions of the Act aim to make it easier for parents to more easily access local schools and to enrol their children in a school that meets their needs. The Act requires schools to be fair and transparent in deciding how to prioritise children for admission to the school. Schools must accept all applicants where they have places and if there are more applicants than places available, selection criteria will be required. It provides that schools must explicitly state in admission policies that they will not discriminate against an applicant on a number of grounds, including disability.

67. There is also provision to prohibit the use of religion as a selection criterion in all recognised primary school admissions. There are protections provided to ensure that a child of a minority religion can access a school providing a religious instruction or religious education programme consistent with his or her religious beliefs. Schools must include in their admissions policy details of their arrangements for any students who do not wish to attend religious instruction.

Education (Student and Parent Charter) Bill 2019

68. The Department of Education recognises the need to capture the voice of children in relation to their education. A key development in this regard is the Education (Student and Parent Charter) Bill 2019, which aims to improve how schools engage with students and their parents. Schools will be required to consult with students when developing or reviewing school policies and plans. Each school will be required to develop a Student and Parent Charter in accordance with national guidelines.

Multi-denominational education provision

69. The Government's objective is to have at least 400 multi-denominational or non-denominational schools in the primary system by 2030. The Schools Reconfiguration process, which seeks to transfer existing schools from denominational to multi-denominational patrons in response to the wishes of local families, is aimed at accelerating the delivery of multi-denominational schools across the country.

70. Over the last decade, 119 schools at primary and post-primary level have been opened or reconfigured, of which 114 are multi-denominational. In 2021, there are 159 multi-denominational primary schools (6% of total) and 359 multi-denominational or non-denominational post-primary schools (50% of the total).

71. The Department is developing a number of different approaches in the context of an expanding population and an increasing demand for multi-denominational education.

Human rights education and citizenship

72. Human rights issues are addressed at all levels of the education system. At primary level, human rights feature in a range of contexts across the curriculum. At this level the most relevant curriculum subject is Social, Personal and Health Education (SPHE). "Developing Citizenship" is a core element of this mandatory subject, from infant classes through to completion of primary education.

73. At post-primary level, knowledge of human rights can also be developed in a range of contexts across the curriculum. Most commonly it features in SPHE, History, Geography, Business Studies and Civic, Social and Political Education (CSPE). CSPE and

SPHE are part of the core curriculum in lower secondary post-primary schools (junior cycle). They are studied as part of the Wellbeing area of learning.

74. A new short course in CSPE will be made available to schools in September 2021. This course aims to inform, inspire, empower and enable young people to participate as active citizens in contemporary society at local, national and global levels, based on an understanding of human rights and social responsibilities. A new optional subject for senior cycle, Politics and Society, was introduced in 2016. Politics and Society aims to develop the learner's capacity to engage in reflective and active citizenship, informed by the insights of social and political sciences.

Wellbeing policy

75. The Department of Education's Wellbeing Policy seeks to promote mental health and wellbeing of all children and young people through the mitigation of risk factors and the promotion of protective factors in the school community. This whole-school approach involves all in the school community engaging in a collaborative and reflective self-evaluation process to improve those areas of school life that impact on wellbeing, with a strong universal focus. Schools use the School Self-Evaluation (SSE) process to engage in an ongoing review of wellbeing promotion.

76. A new area of learning at junior cycle called Wellbeing makes the school's culture and ethos and commitment to wellbeing visible to students. It includes learning opportunities to enhance the physical, mental, emotional and social wellbeing of students, and enables students to build life skills and develop a strong sense of connectedness to their school and to their community.

77. Education of persons with special educational needs:

(a) The policy of the Department of Education is to ensure that all children with special educational needs can be provided with an education appropriate to their needs. Where possible, children with special educational needs are included in mainstream placements with additional supports provided.

(b) The numbers of special classes, special education teachers and Special Needs Assistants are at unprecedented levels. The Department will spend approximately €2 billion or over 20% of its total educational budget in 2021 on making additional provision for children with special educational needs.

(c) Since 2018, a new School Inclusion Model pilot project has been testing a model of tailored therapeutic supports by providing speech and language and occupational therapy within educational settings. This pilot was approved for continuation in August 2020, with the National Council for Special Education (NCSE) sanctioned to recruit up to 31 speech and language, and occupational therapists.

(d) In addition:

- The School Transport Scheme provides free school transport to children with disabilities.
- The Assistive Technology Grant enables schools to purchase specialist equipment recommended by the NCSE.
- Specially trained visiting teachers for children who are deaf/hard of hearing or blind/visually impaired provide referrals to children for assistive accommodations.
- The scheme of Reasonable Accommodations at the State Examinations facilitates access to the certificate examinations by candidates who would have certain difficulties because of a physical, visual, hearing and/or learning difficulty.

Delivering Equality of Opportunity in Schools (DEIS)

78. Delivering Equality of Opportunity in Schools (DEIS)⁵³ is the main policy initiative of the Department of Education to tackle educational disadvantage at school level. In the

2020/21 school year there are 887 schools in the DEIS Programme serving 185,000 pupils; approx. 20% of the overall school population.

79. The DEIS programme provides for a range of supports including additional teaching posts, home school community liaison coordinator posts, enhanced grant funding for schools, additional funding for school books, curriculum supports, additional access to wellbeing supports and access to the School Meals Programme.

Equity of access for underrepresented groups

80. Equity of access to higher education is a priority for the Irish Government. The third National Access Plan for Equity of Access to Higher Education (2015-2021) (NAP) sets out the current Government strategy to address underrepresentation in higher education by groups identified in the plan. The vision of the NAP is to ensure that the student body entering into, participating in and completing higher education at all levels reflects the diversity and social mix of Ireland's population. It identifies the target groups that are currently underrepresented in higher education, which includes entrants from socio-economic groups that have low participation in higher education, Irish Travellers, students with disabilities, first-time mature student entrants, part-time or flexible learners and further education award holders, and it sets out targets for increases in participation by these groups. (Recommendation 135.142.)

81. A progress report of the NAP⁵⁴ in 2018 indicated significant increases in participation rates since the introduction of the plan, particularly in the disabilities target group. The target of 8% that was set for the lifetime of the Plan had been exceeded by the Progress Review stage with a new target of 12% set for 2021. In 2019 overall participation rate has increased to 12.3% and targets have equally been surpassed in respect of the three categories of disability. The public consultation process on the new National Access Plan 2022-2026 closed on 18th June 2021. It is planned to publish the new Plan at the end of 2021.

Inclusion

82. Ireland is committed to increasing levels of inclusion by providing high-quality, more accessible and flexible education and training programmes and supports suited to the identified needs of individuals. Fostering Inclusion is one of the three core pillars around which the Further Education and Training (FET) Strategy 2020-2024 is built. SOLAS, Education and Training Boards Ireland (ETBI) and the 16 ETBs have progressed a series of actions to support the goal of Fostering Inclusion by developing and rolling out a series of good-practice guidelines to promote inclusion.

Gender equality in education

83. Higher education legislation requires institutions to promote gender balance among students and staff, and for the Higher Education Authority (HEA) to promote equality of opportunity. While higher education institutions (HEIs) have been engaged in initiatives targeted at addressing gender inequality for a number of years, the HEA National Review of Gender Equality in Irish Higher Education Institutions in 2016⁵⁵ highlighted a broad range of issues contributing to the ongoing gender imbalance in the sector, particularly at senior levels. The HEA monitors HEI performance through the Strategic Dialogue process, and gender equality is included as a key focus under Strategic Priority 6: Governance, Leadership and Operational Excellence. A Gender Equality Taskforce was established in 2017 to identify significant measures that would ensure sustainable acceleration towards gender equality. One of the Taskforce recommendations was the establishment of a HEA Centre of Excellence for Gender Equality, and this was established in 2019.

Education for international protection applicants

84. International protection applicants who have been granted permission to work are eligible to access FET programmes on the same basis as Irish nationals. Changes were made to the Pilot Support Scheme for Asylum Seekers who are attending higher education in July 2020 to broaden the qualifying criteria for the scheme and to remove the

requirement to have spent three years in the Irish school system and to have completed the Leaving Certificate. These changes enable more persons in the international protection process to have access to third-level institutions.

85. These changes are in relation to the Student Support Scheme for Asylum Seekers, whereby in August 2020 the Minister for Further and Higher Education, Research, Innovation and Science confirmed that the rules of the scheme would be relaxed and that the scheme would be placed on a long-term footing.

86. The requirement for prospective applicants to have attended three years in the Irish school system and to have obtained the Leaving Certificate in the State no longer applies. Prospective applicants are still required to have been in the protection or leave-to-remain process for three years.

87. In addition, from the start of the 2021/22 academic year, international protection applicants who have permission to work and are seeking to access PLCs will no longer have to pay international fees of €3,600.

G. Right to health

88. The Irish public health system provides medical card (full eligibility) and general practitioner (GP) visit card (limited eligibility) services targeted towards low-income households and marginalised groups. Individuals with full eligibility are entitled to a range of services, and if an applicant does not qualify for a medical card on financial grounds, the HSE will automatically assess if they are eligible for a GP visit card. A GP visit card allows the holder to visit a participating family doctor for free. After the introduction in 2015 of free GP care for all children under 6 years of age, the Government approved the phased expansion of such access to all children aged 12 years and under. The planned expansion is an important healthcare measure that will remove a potentially prohibitive cost barrier to accessing GP care and will improve healthcare for children. The date of commencement for the first phase of the expansion, to all children under 8 years, is being held under consideration due to Covid-19 (Recommendation 136.63.).

89. The Government has also taken specific steps to address the healthcare needs of the increasing numbers of health service users from diverse ethnic, cultural and religious backgrounds. The second National Intercultural Health Strategy 2018–2023 aims to provide an integrated approach to addressing the needs of these service users. The goals of the Strategy include improved accessibility of services, and provision of high-quality, culturally responsive services. (Recommendations 135.40, 135.65, 135.137, 135.62 and 135.63.)

Abortion

90. On 25 May 2018, a referendum was held on the Thirty-Sixth Amendment of the Constitution Bill 2018, which sought to delete Article 40.3.3 of the Constitution and substitute it with wording confirming that the Parliament may make laws for the regulation of the termination of pregnancy. The referendum was passed, and in December 2018 the Health (Regulation of Termination of Pregnancy) Act 2018⁵⁶ was passed and signed into law. The main purpose of the Act is to set out the law governing access to termination of pregnancy in Ireland. It permits termination to be carried out in cases where there is a risk to the life, or of serious harm to the health, of the pregnant woman; where there is a condition present which is likely to lead to the death of the foetus either before or within 28 days of birth; and without restriction up to 12 weeks of pregnancy. While it is an offence to intentionally end the life of a foetus save in accordance with the legislation, these offence provisions do not apply to a woman who has ended, or attempted to end, her own pregnancy. The Act provides universal (free) access to termination of pregnancy services for people ordinarily resident in the State. Services for termination of pregnancy were introduced on 1 January 2019 (Recommendation 135.136).

H. Right to family

91. Ireland has worked to develop schemes and supports for working parents to facilitate gender equality in caring responsibilities, but also to support fathers in taking a greater caring role in the crucial early years of a child's life.

Parent's leave

92. The Parent's Leave and Benefit scheme, which was established in November 2019, aligns with the EU Work–Life Balance Directive and entitles new parents to two weeks of non-transferable leave and benefit. The scheme supports the career progression of women through improved conditions to reconcile their working and family commitments. After commencement of the Family Leave and Miscellaneous Provisions Act 2021 in April 2021,⁵⁷ the entitlement was extended from two weeks to five weeks. The introduction of a non-transferable scheme recognises that the provision of Parent's Leave and Benefit is more effective when fathers as well as mothers are encouraged to take time off work to take care of their children. The scheme approaches this issue from the perspective of gender equality, increasing female labour-force participation and protecting workers' rights (Recommendation 136.35). In addition, under the Parental Leave (Amendment) Act 2019, the amount of parental leave was increased from 18 weeks to 26 weeks, to be phased in over a two-year period.

I. Gender equality

93. A Citizens' Assembly on Gender Equality first met in January 2020 to consider gender equality and make recommendations to Government on politics and leadership, caregiving and childcare, domestic, sexual and gender-based violence, pay and the workplace, and social protection. The Assembly has now concluded its work and has submitted its report to Government for consideration. The final report and recommendations of the Citizens' Assembly on Gender Equality has been laid before the Houses of the Oireachtas in June 2021.

94. Ireland has ratified CEDAW and was a member of the UN Commission on the Status of Women from 2017 to 2021, chairing the Commission for two years during this time. Despite the progress made, gender inequalities still exist. The gender pay gap means that women earn 14.4% less than men, on average. Women continue to be underrepresented in decision-making roles, particularly in the political arena and as company executives and members of corporate boards (Recommendations 135.76, 135.9, 136.33, 136.35 and 135.71).

95. Incremental targets for gender balance at senior levels of Irish companies have been set by the independent, business-led Balance for Better Business Review Group,⁵⁸ established by Government in 2018, which also monitors and reports on progress annually. The group's December 2020 report found that the largest listed companies on the Irish stock market (ISEQ 20) had on average achieved the 2021 Board target of 27% representation of each gender, with a view to achieving 33% representation by 2023. However, while heartening progress was being made by some companies, meeting the targets for all listed companies remained challenging.

96. In line with a Government commitment, Parliament has passed legislation which aims to oblige companies over a certain size to calculate and publish information on their gender pay gaps and to set out the measures, if any, being taken to eliminate or reduce any pay gap. The Gender Pay Gap Information Bill 2019,⁵⁹ will apply initially to firms of 250 or more employees, reducing to 50 when fully operational. It is hoped that transparency on this subject will build awareness of the gender pay gap in companies and among the wider public and prompt steps to advance gender pay parity.

National Strategy for Women and Girls (NSWG) 2017-2020

97. The NSWG⁶⁰ represents whole-of-government commitments to foster the advancement of women in all facets of their lives. These include increasing women's

participation in employment, supporting female entrepreneurs and assisting those in employment to advance their careers. This Strategy is complemented by other measures which, monitored and reported on a gender-disaggregated basis, contribute to these goals.

98. A Women’s Health Taskforce⁶¹ was set up in 2019 by the Minister for Health with the aim of improving women’s health outcomes and experiences of healthcare. The Taskforce is working on the development of a Women’s Health Action Plan, informed by a “radical listening” exercise inviting women in to share their experiences of and solutions for the health system and aligning with Sláintecare, Ireland’s ten-year national reform programme for health.

99. Reforms to electoral legislation in 2016 to increase the participation of women in politics mean that political parties will see their State funding halved if they do not meet the requirements to have at least 30% female and 30% male candidates in general elections. This quota will rise to 40% from 2023. In 2017, the Irish Women’s Parliamentary Caucus was established as a cross-party forum for female parliamentarians to discuss and campaign on issues predominantly affecting women. A range of soft measures have been taken to encourage greater female representation in local government, including grants to civil society organisations and to political parties for training potential female candidates, and awareness-raising campaigns (Recommendation 135.95).

J. Migrants, refugees and asylum seekers

Migrant integration

100. The Irish Government is committed to promoting policies that integrate minority ethnic groups in Ireland, and that promote social inclusion, equality, diversity and the participation of migrants in the economic, social, political and cultural life of their communities. A significant level of activity is taking place in pursuit of this commitment, which is given expression through the National Migrant Integration Strategy (MIS) 2017-2020,⁶² a whole-of-government framework of action to support integration. This strategy contains 76 targeted actions for Government departments, Local Authorities, and other public bodies across a range of public policy and service provision areas, including: promoting intercultural awareness and combating racism and xenophobia; access to public services and social inclusion; education; employment and pathways to work; and active citizenship. (Recommendations 135.103, 135.81 and 136.8.)

National Anti-Racism Committee (NARC)

101. The NARC is an independent committee established by Government in 2020 to draw up a National Action Plan Against Racism (NAPAR) for Ireland. The work of the Committee will strengthen the Irish Government’s approach to combating individual and institutional racism and will build on the anti-racism actions included in the MIS and the National Traveller and Roma Inclusion Strategy (NTRIS). (Recommendations 135.110, 135.111, 135.112, 135.109, 135.108, 135.103, 135.104.)

White paper on ending direct provision

102. The Government is committed to replace the system of Direct Provision with a new International Protection Accommodation system, which will be centred on a not-for-profit approach. A White Paper⁶³ published on 26 February 2021 outlines the proposed system of accommodation and supports that will be offered to applicants for International Protection. It is the result of extensive consultation with civil society organisations, residents of Direct Provision centres, and other Government departments and bodies. The new model is based on human rights principles, with the primary change being the commitment that applicants will, after an orientation period not exceeding four months, be offered own-door accommodation in the community. Congregated accommodation settings will be phased out by the end of 2024. The new service will coordinate a system of accommodation and supports to ensure that people who are applying for protection are helped to integrate from day one, with health, housing, education and employment supports at the core of the new system. (Recommendations 135.148 and 135.83.)

Naturalisation

103. Citizenship ceremonies were first introduced in June 2011. By March 2020, a total of 151 citizenship ceremonies had been held, and almost 132,000 applicants from 180 different countries have received their Certificates of Naturalisation (Recommendation 136.87). The restrictions imposed due to the Covid-19 pandemic led to cancellation of the regular citizenship ceremonies. An alternative method was developed to protect the safety and wellbeing of candidates and staff members, and in July 2020 the Minister for Justice held the first online celebration ceremony to welcome new citizens.

LGBTI+

104. Following the result of a referendum in May 2015, Ireland enacted the Marriage Act 2015,⁶⁴ which enabled same-sex couples to enjoy the same constitutional rights and protections as all families. The Gender Recognition Act 2015 has also been enacted. Notwithstanding these achievements, there remain structural barriers and challenges to LGBTI+ people achieving their full potential. This is now being addressed within the framework of a national strategy, the LGBTI+ Inclusion Strategy 2019-2021,⁶⁵ launched in 2019. It contains 108 actions aimed at transforming the lives of LGBTI+ people across Ireland.

Traveller and Roma

105. In March 2017, the State recognised Travellers as a distinct ethnic group in Irish society. This was a momentous decision in Ireland's history, showing its commitment to value the unique culture, identity and heritage of Travellers in Ireland. Building on this, the National Traveller and Roma Inclusion Strategy (NTRIS) 2017-2021⁶⁶ recognises that there is a need for specific programmes of work to address vulnerabilities facing the Traveller and Roma communities. NTRIS brings Government departments and agencies together along with representatives of Traveller and Roma communities. It contains 149 actions grouped under ten themes, including cultural identity, education, employment, health and accommodation, which aim to apply culturally appropriate responses to the many areas of disadvantage experienced by the Traveller and Roma communities. As NTRIS is coming to an end in 2021, the Irish Government is committed to reviewing it and developing a new strategy.

K. Climate

106. The Climate Action and Low Carbon Development Act was introduced in 2015. It was amended in 2021 via the Climate Action and Low Carbon Development (Amendment) Bill 2021, which will ensure that the principle of climate justice will be considered by the Irish Government when developing carbon budgets, plans or strategies. The Government recognises that climate change is likely to disproportionately impact the lowest socio-economic groups in society, who are also poorly positioned to adapt to the changing climate. In 2019, 12 Sectoral Adaptation Plans were developed which stress the importance of ensuring that climate adaptation protects marginalised and vulnerable groups by mainstreaming climate adaptation actions into policies and programmes.

L. Covid-19

107. Ireland's public health response to Covid-19 has been guided by seven ethical principles: solidarity, fairness, minimising harm, proportionality, reciprocity, privacy, and a duty to provide care, as well as a number of procedural values namely: reasonableness, transparency, inclusiveness, responsiveness and accountability. In March 2020, Ireland's Department of Health published the Ethical Framework for Decision-making in a Pandemic, setting out these principles and values⁶⁷. The National Public Health Emergency Team (NPHE) for COVID-19 provides national direction, guidance, support and expert public health advice on the development and implementation of a strategy to contain COVID-19 in Ireland. In considering and making recommendations to the Irish

Government on COVID-19 measures, NPHE is at all times guided by these ethical principles.

108. Budgetary support of almost €38 billion has been allocated to tackle the economic impact of the pandemic. The full suite of budgetary supports has been utilised, including direct expenditure, taxation measures and so-called below-the-line supports, such as loan guarantee schemes. Among the measures introduced was the Covid-19 Pandemic Unemployment Payment (PUP), a time-limited, emergency income support measure. The Government also introduced the Temporary Wage Support and Subsidy Schemes to encourage employment and help maintain the link between employers and employees. Other schemes and measures include the enhanced Illness Benefit, the Enterprise Support Grant, extension of fuel allowance and extensive investments in training and skills.

109. Ireland's response has also recognised that while the virus affects everyone, it does not do so equally, and that the pandemic has exacerbated existing health inequalities. Ireland's response has therefore sought to prioritise, protect and support those made most vulnerable, be it from the virus itself or from the impacts of the pandemic response. This includes older persons; those living in congregated settings; those with pre-existing conditions which put them at higher risk of severe disease from Covid-19; younger persons; Traveller and Roma communities as well as members of the migrants community and people who are homeless. A range of health, social and economic measures were implemented to alleviate the impacts of the pandemic, including partnerships with Non-Governmental Organisations and enhanced income and welfare supports. ESRI simulations suggest that the Covid-related interventions were stabilised disposable-income inequality.

110. In line with the international experience, incidents of domestic violence reported to the police have increased by over 20% since the onset of the pandemic. In April 2020 the Government initiated a cross-sector public awareness campaign, "Still Here",⁶⁸ in partnership with the voluntary sector. Its objective is to make victims and those at risk aware that domestic and sexual violence services from the courts, State agencies and the voluntary sector have been adapted and increased to ensure that they remain available through all levels of public health restrictions.

Notes

- ¹ Ireland's 2016 UPR Report is available at <https://www.ohchr.org/EN/HRBodies/UPR/Pages/IEindex.aspx>
- ² <https://www.ohchr.org/en/hrbodies/upr/pages/uprimplementation.aspx>
- ³ www.ihrec.ie
- ⁴ www.workplacereactions.ie
- ⁵ <http://www.justice.ie/en/JELR/Pages/Second-National-Strategy-on-Domestic-Sexual-and-Gender-based-Violence-2016-2021>
- ⁶ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32012L0029>
- ⁷ <http://www.irishstatutebook.ie/eli/2018/act/6/enacted/en/html>
- ⁸ <http://www.irishstatutebook.ie/eli/1995/act/26/enacted/en/html>
- ⁹ <http://www.irishstatutebook.ie/eli/2004/act/3/enacted/en/html>
- ¹⁰ <http://www.irishstatutebook.ie/eli/2017/act/2/enacted/en/html>
- ¹¹ <http://www.irishstatutebook.ie/eli/2019/act/4/enacted/en/html>
- ¹² [http://www.justice.ie/en/JELR/Sex_Offenders_\(Amendment\)_Bill_2018-General_Scheme.pdf/Files/Sex_Offenders_\(Amendment\)_Bill_2018-General_Scheme.pdf](http://www.justice.ie/en/JELR/Sex_Offenders_(Amendment)_Bill_2018-General_Scheme.pdf/Files/Sex_Offenders_(Amendment)_Bill_2018-General_Scheme.pdf)
- ¹³ http://www.justice.ie/en/JELR/Supporting_a_Victims_Journey.pdf/Files/Supporting_a_Victims_Journey.pdf
- ¹⁴ http://www.justice.ie/en/JELR/2nd_National_Action_Plan_to_Prevent_and_Combat_Human_Trafficking_in_Ireland.pdf/Files/2nd_National_Action_Plan_to_Prevent_and_Combat_Human_Trafficking_in_Ireland.pdf
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- ¹⁷ <http://www.irishstatutebook.ie/eli/2017/act/28/enacted/en/html>

- 18 <https://www.victimscharter.ie/>
- 19 <https://www.ombudsman.ie/publications/reports/opportunity-lost#:~:text=Speaking%20in%20the%20D%C3%A1il%20on,spent%20in%20a%20Magdalen%20lau ndry>
- 20 <https://www.gov.ie/en/publication/d4b3d-final-report-of-the-commission-of-investigation-into-mother-and-baby-homes/>
- 21 <https://www.oireachtas.ie/en/debates/debate/dail/2021-01-13/10/>
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- 25 <http://www.irishstatutebook.ie/eli/2015/act/65/enacted/en/html>
- 26 <https://www.gov.ie/en/publication/8eabe-review-of-the-administration-of-civil-justice-review-group-report/>
- 27 <https://www.courts.ie/court-appeal>
- 28 <https://www.oireachtas.ie/en/bills/bill/2021/8/>
- 29 <https://www.courts.ie/news/courts-service-strategic-plan-2021-%E2%80%93-2023-published>
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- 38 <https://www.gov.ie/en/collection/9fa1d-high-level-homelessness-taskforce-meetings/>
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