



Invitation for Submissions - Irish Human Rights and Equality Commission Strategy Statement 2022-24 Consultation

Introduction

The Irish Human Rights and Equality Commission (IHREC/Commission) would like to invite you to make a written contribution to the consultation process for its new Strategy Statement 2022-2024.

The Irish Human Rights and Equality Commission Act 2014 sets out the Commission role in relation to promoting and protecting human rights, equality and intercultural understanding in Ireland. The Act will provide the framework for the Commission's next Strategy Statement 2022-24.

Irish Human Rights and Equality Commission Act 2014

Under the Irish Human Rights and Equality Commission Act 2014 (the Act), the overall functions of the Commission are:

- (a) To protect and promote human rights and equality;
- (b) To encourage the development of a culture of respect for human rights, equality and intercultural understanding in the State;
- (c) To promote understanding and awareness of the importance of human rights and equality in the State;
- (d) To encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person; and
- (e) To work towards the elimination of human rights abuses, discrimination and prohibited conduct.

Section 42 of the Act sets out the Public Sector Equality and Human Rights Duty, which places a statutory obligation on public bodies to eliminate discrimination, promote equality of opportunity and protect the human rights of those to whom they provide services and staff when carrying out their daily work. The Commission gives guidance to public bodies in developing policies and good practice based on human rights and equality standards.¹

¹ <https://www.ihrec.ie/our-work/public-sector-duty/>

Consultation with Individuals and Stakeholders

The Commission is inviting submissions from people (rights-holders) and groups working to eliminate discrimination, and promote and protect human rights and equality. Your contributions will put a spotlight on the issues that you believe should be taken into account when the Commission is developing its' strategic priorities for the next three years.

Submission details

The closing date for submissions is **16 August 2021**.

Format

This submission document is set out in three sections:

- The context for the coming three years
- The performance of the Irish Human Rights and Equality Commission
- Achieving change

Background

Please select one of the below options:

- Individual
- Civil Society Organisation
- Other body (please specify) _____

If an individual, what group(s) do you self-identify with or wish to highlight here?

If a representative of a group or an organisation, which of the following groups does your organisation's human rights and equality work relate to?

Please select one or more of the following options:

- Age
- Disability
- Civil status
- Family status (including lone parents and carers)
- Gender (including a transgender person or a person who is transitioning to another gender)
- Race
- Religion
- Sexual orientation
- Traveller community
- Housing Assistance
- People at risk of poverty and social exclusion
- Other (please specify) _____

What is the name of your group or organisation? (Optional but helpful if you include)

LGBT Ireland

Section 1: Context for the Commission's work over the next three years

We would like to understand your experience so that it informs the context in which the Irish Human Rights and Equality Commission will work over the next three years.

What is going well for you (and your community / constituency)? (Max 200 words)

Positive legislative changes (Marriage Equality and Gender Recognition Act 2015) have contributed to a positive momentum and positive general awareness and sentiments towards the LGBT+ community. Furthermore in 2018 and 2019 the then governments launched the National LGBTI+ Youth Strategy (2018-2021) and the National LGBTI+ Inclusion Strategy (2019-2022) in order to facilitate the kind of measures to achieve equality in all areas of life, not only marriage. Both are whole of government strategies and are leading to positive actions by government departments, agencies and other public services. An awareness of the need to be more aware, more inclusive and more competent in delivering LGBTI+ inclusive services is definitely in evidence. On the European level the launch of the LGBTI+ Equality Strategy 2020-2025 gives huge vision and direction for all governments and for civil society to hold their governments to account.

What are the challenges and barriers that you (and your community / constituency) face, including intersectional challenges, please be specific? (Max 300 words)

Many challenges remain and some are increasing. While Covid has exacerbated these challenges, they pre-existed the pandemic.

The LGBTI+ community is recognised as one at higher risk of poor mental health and well being and there is i) inadequate mental health service across the country; ii) a lack of LGBTI+ aware and inclusive mental health services. *LGBT Ireland Survey (2016)* Higgins, A. et al.

The pandemic has increased the need for these services. *Life in Lockdown Survey (2020)* LGBT Ireland, NFX, GCN.

Increase in hate incidents and crimes, particularly online and particularly targeting Trans people. This is resulting in a growing sense of fear and feeling generally unsafe. The lack of a hate crime law is a real concern and this needs to be progressed as a matter of urgency.

The rise of the far right in Ireland is alarming and threatens to undermine and erode some of the rights gains of recent years particularly in the area of gender recognition. A targeted and well-resourced public education campaign is required to counter the fearmongering and misinformation of far-right funded groups who have a small and overlapping membership yet are having a hugely negative impact on our community and misleading the general public.

The lack of Trans healthcare services in Ireland is having a very negative impact on the lives of Trans people particularly young people awaiting assessments and services.

LGBT+ Family Rights and the rights of children in those families, need to be fully protected in Ireland. This includes the full enactment of the Children & Family Relationships Bill (2015) and pathways to parenthood through Assisted Human Reproduction for all couples, heterosexual or gay and lesbian.

The lack of a mature, comprehensive RSE curriculum which provides all young people in the primary and secondary education sector, not only LGBT+ young people, with the learning opportunities to understand, respect and feel confident in articulating feelings and questions around sexual orientations and gender identities, sexuality and consent issues, is ensuring that the challenges the LGBTI+ community face now will continue long into the future as we are not building the knowledge and understanding of these diversities into the formation of how young people understand norms.

Within the LGBTI+ community there are minorities and people facing multiple minority stressors due to the **intersectionality** of their lives:

- **Older LGBT+** people are particularly invisible in the health and social care services upon which they are more likely to depend than their heterosexual counterparts due to higher percentages of older LGB people living alone compared to older heterosexual people (46% / 29% respectively) and without children (25% gay and bi men, 50% lesbian and bi women compared with 90% heterosexuals); Lesbian, Gay and Bisexual in Later Life (2011) Stonewall UK; Visible Lives (2011), HSE, GLEN, BelongTo. All older people's services need to LGBT+-proof their service provision in order to make it safer for older LGBT+ people to come out and become visible, thereby articulating their needs and enabling services to become inclusive.

-**LGBT+ people seeking international protection** live on the margins of Irish society, mostly in Direct Provision (DP), and remain very much on the margins of the LGBT+ community and their services. The White Paper to End Direct Provision must be fully implemented and needs to strengthen its offering in terms of the specialist trauma-informed mental health services this cohort of our community needs. The processing times of one's application needs to be shortened as the length of time living in DP adds cumulative negative mental health impacts.

-**LGBT+ Travellers & Roma** face multiple layers of discrimination and barriers and remain very invisible in the LGBT+ community and respectively in both Traveller & Roma services as well as LGBT+ services. Racism in the wider community, including the LGBT+ community needs to be challenged and homophobia and transphobia within the respective ethnic communities needs to be challenged and resolved.

- **LGBT+ people with disabilities** remain very invisible and their voices and experiences are not being heard, hence how can their needs be met and how can it be certain that their equality and human rights are being respected?

This is not an exhaustive list of the minorities within the LGBTI+ minority but aims to signal the level of complexity intersectionality presents for members of our community.

What do you (and your community/ constituency) need to thrive – to have your human rights and equality protected? (Max 200 words)

- A hate crime law which has been publicly reviewed and the needs and adjustments recommended by the affected communities need to be taken on board before any law is finally enacted
- We need to feel safe- online and offline; we need greater regulation by social media companies of hate speech in all its forms and targets
- We need more visibility of ALL our community in ALL their identities and the supports to be in place to enable this to happen
- We need more research on our community in all of their diversity in order that we understand their various experiences and support needs
- We need less heteronormativity and cis-normativity and much more diversity in the structures, systems (education, health, state, media, legal etc.), services and staff- and we need people not to be told they have to do this, tick the box, tokenistic, rather we need to do the awareness raising and education work our society has heretofore failed to do and continues to fail to do as long as RSE in schools remains unchanged
- We need more LGBTI+ services across the country with a core small team of full-time paid staff, not that they rely on volunteers only. These services need to be trained in public sector duty so that they build this into their training and advocacy work in order to have more leverage, more impact and create the kind of services, communities and society which we need, described above.
- We need conversion therapy to be banned

Section 2: Performance of the Irish Human Rights and Equality Commission

We would like to understand how you perceive the Irish Human Rights and Equality Commission's performance over the past three years.

Strategic Statement 2019-2022 – Priorities

1. Protect the rights of individual persons who face the greatest barriers to justice;
2. Influence legislation, policy and practice;
3. Engage with key organisations to address discrimination and human rights abuses; and
4. Raise the quality and broaden the extent of the dialogue on human rights and equality issues.

Thematic Priorities that crosscut the Strategic Priorities:

1. Promoting access to justice;
2. Advancing social and economic rights;
3. Combatting racism and promoting intercultural understanding; and
4. Progressing the rights of people with disabilities

What are your views on the issues we have addressed and our impact over the past three years? Were there gaps?

Where possible, please refer to a specific aspect of our work – i.e. our legal work; research; legislative and policy submissions; international reporting; civil society engagement, grants programme, public awareness campaigns; public communication; promotion of the Public Sector Equality and Human Rights Duty etc. **(Max. 400 words)**

We have had limited experience and exposure to your work. However through our work with LGBT+ Travellers & Roma, we are aware of your positive work on Traveller accommodation study.

We have been successful in a grant application and as a result are now in much more contact with IHREC and are learning a lot more about your work. We are also engaging more.

As an NGO with a lot of work to do and always more that we feel we are not yet doing and need to get doing, it feels impossible to be on top of everything we ideally would be on top of.

We look forward to having more to say on this section in the coming years.

Section 3: Achieving Change

We would like to understand how we could work effectively to fulfil our mandate and achieve change.

What issues should the IHREC continue to address and build upon in our new Strategy Statement 2022-24 and programme of work as a priority? (Max. 300 words)

Prioritise those less visible and most on the margins of our society.

However in some way try to explore how IHREC can create more public awareness beyond specific NGOs who engage with you, of what IHREC does as there is still a huge lack of awareness of what a human rights-based approach is and what public sector duty is, even among civil society.

What emerging or other issues should the IHREC begin to address in our new Strategy Statement 2022-24 and programme of work as a priority? (Max. 300 words)

The rise of the far right in Ireland and calling for greater regulation of social media companies. There needs to be much greater accountability by them as for-profit entities for the harmful impacts they are having which the state and not-for-profit entities have to try to resolve, support etc.

The rise of the far right is sinister and is a huge threat to minorities and anyone who is different.

How best can the IHREC work with and support the further development of civil society as key actors in addressing discrimination and human rights infringements? (Max. 200 words)

More education and public awareness on what a human rights-based approach is and what it means for services of all kinds and for citizens.

Also, education and awareness specific to civil society tailored to particular issues / sectors within it, as well as cross cutting issues so that we are not siloed but that we network as we learn and join more dots.

As a sector we are not yet equipped in knowledge, understanding and confidence to utilise the PSD in our work.

What impact would you like to have seen from the IHREC by 2024? (Max. 200 words)

That more NGOs, including ours, are seeing PSD as a very relevant tool in their advocacy and education work.

Thank you for making this submission! Consultation@ihrec.ie