Towards a National Action Plan Against Racism for Ireland
Public Consultation 2021
13 July 2021

Addressed to: **antiracism@equality.gov.ie**
Submitted by: ███████████
Email: ██████████████████

Background:

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Key Issues

- The proliferation of racism, xenophobia and racial biases online via social media by, but not limited to, far-right wing groups.
- Dealing with discrimination by far-right wing groups offline.

Details of content

Context:
Social media is a powerful tool that allows for global discourse and freedom of expression but has shown to enable radicalisation of young people and adults with dangerous ideologies. This leads to hate speech and organised intimidation of ethnic minorities and marginalised groups, hate crime as well as reinforcing false narratives and facts by way of fake news by Far right-wing groups to the greater public. Such groups can unravel society's cohesion and perceptions by playing on deep biases and fears.

Who?
The rise of far-right wing radicalization poses the most significant threat to current and future progress on anti-racial discrimination policies in Ireland. While not all racist perpetrators are from these groups it must be acknowledged that organised groups can be very effective and strategic online and offline in relation to discrimination and hate crime.

How?
Social Media: Popular platforms such as Facebook and it's subsidiaries WhatsApp and Instagram have become a breeding ground for racism that has been perpetuated by business models (algorithms) that support any content that can bring about high engagement rates. Racist posts online are not isolated from this and have in some instances produced high engagement rates for the companies. In relation to Ireland specifically, 334 racist incidents occurred via Media and social media compared to 174 in 2019 in Ireland as detailed by IReport.

Global Influence - Online to offline: The emerging racism we see today is very much influenced by our wider environment too – for example, the rise of Asian hate during the pandemic (stemming from the US) led to the proliferation of Xenophobia when COVID19 was referred to as the Chinese Virus. This can often translate into organised intimidation against an individual on the grounds of ethnic origin in other countries. This was the case for then Lord Mayor of Dublin Hazel Chu when 30 individuals waited outside the Mansion House. A single female was fined for breaching public health law. There were no arrests made on the grounds of racism. Proactive and preventative rather than reactive actions need to be taken to ensure these incidents are adequately prevented, reported on and enforced by law rapidly where relevant In the case of Politician Jo Cox in the UK where this became

too late. The Lord Mayor having previously referenced this and the dangers that coincide with this behaviour.

Division in society: This can be further reinforced by another small but important example where fake news spread by a far right group falsely blaming African youth for starting a house fire in Balbriggan, Co Dublin. This was categorically untrue and extremely damaging to the community and categorises Black African Youth as dangerous troublemakers. It was an attempt to mar a group based on the colour of their skin.

Policy/NAPAR recommendations

Preventative vs reactive approach
- Need for a government-private sector unit that specialises in developing innovative ways to enable localised reporting specifically (i.e Ireport button on social media in Ireland). This will help in data collection and investigations into any reported fake news, racial hate speech or crimes. Involve both deradicalised former right-wing group members and victims into said project to ensure the solution works in prevention and satisfactory support to victim. Incredible things have been achieved during COVID19 where social media companies have added extra features to allow for National COVID19 information to be flagged and displayed. Much more can be done as it relates to racism if there is enough political will.
- Need to educate educators on grooming young people into far-right ideologies specifically through social media and how to counteract the same.
- Incorporate now de-radicalised individuals into policy building. Their insight and ability to understand how perpetrators work is paramount to having any meaningful policy that produces positive outcomes.
- Recognising the importance of the Family Unit as part of the life cycle in preventing or reinforcing racism and radicalisation online should not be underestimated and factored into education policies. Education of teachers is not enough.
- Need to fund the youth sector to offer alternative spaces of belonging for young people vulnerable to radicalised political grooming and victims of these types of attacks.
- Criminal Justice (Hate Crime) Bill 2021 should also consider a Racist offenders list similar to that of Sexual offenders list given their dangers to society and the need for victims to ensure they are not living amongst these perpetrators that endanger their livelihoods.
- Need for sanctions on social media companies who allow hate speech and racist content to be shared. This should come in the form of financial fines as well as in the case of damages to victims which they failed to support on their platforms. This can come in the form of counselling in light of the trauma experienced and direct funding back to nonprofit organisations who combat this issue.
- Offline: Educate public/young people in how to deal with intimidation and discrimination by far-right groups. These groups are highly organised and devote time to specific combat training in its most severe forms which lead to hate crimes.

My daughter's partner and his friends who all hail from India were having a general conversation with are and acting on racism came up.

My Daughter's partner and his friends are regularly abused at bus stops and the Luas stop comments are hurled at them and threats.

This also happens to my daughter when with her partner.

They have had incidents of people revving their cars at them and speeding up when crossing the road.

I asked ▮▮▮▮ why he dosen't report this abuse and I was shocked to hear that they believe that if they report their abuse their emigrant status and visa will be affected so this silent racism continues with no whatsoever repercussions for their behaviour.

We need to make our new citizens and neighbours feel welcome and just accept abuse.

We need a new system that they feel safe to report incidents knowing that their status or visa will not be affected.

We can not expect people to tolerate this crime.

I feel public transport could help with a silent, silent racism campaign and for a free phone number to be established where people can report incidents and not have their visa affected.

We can not have people tolerating racism because they fear their lives will be destroyed
Yours Sincerely,

Theme 1: Access to justice

What supports would you like to see in place for victims of racism?

A garda liaison officer specifically trained in dealing with racist reports. If reports of racism are made, garda on duty does not decide whether its deemed a reportable offence but instead directs all racist incidents reported to a specifically trained garda liaison officer. This officer should follow up with person/s who reported the incident. There should be supports in place with primary health care team to support those who report incidents of racism and who the garda liaison officer can refer or speak with victim and their family about a potential referral for their mental health supports specific to racism.

What actions would be effective in removing barriers to justice for victims of racism?

Establishing trust with those who experience racism. Actively engaging with those in the community who are from ethnic minority groups and instilling confidence in them that they will be supported when they experience incidents of racism.

What actions could be adopted to counter discrimination by law enforcement?

Training gardai to understand the complexities surrounding racist incidents. Reducing the barriers with language and culture. Very specific training on implicit biases that the Gardai may hold in addition to challenging explicit biases demonstrated by their colleagues.

Do you think racism impacts on arrested or accused people in the criminal justice system , and if so, how could it be addressed?

Yes, until the Gardai are trained on how to treat ethnic minority groups as equals without bias and a commitment is made by all members to be open to understanding ethnic diversity some will continue to demonstrate racism. Racial profiling and seeking out opportunities to criminalise ethnic minority groups requires a culture change within the Gardai.

Do you think racism impacts on legal adjudication and the courts, and if so, what actions need to be taken?

Not sure.

Are there particular issues connected with racism and gender and access to justice?

Yes, prior experience with the justice system has suggested there inability to take incidents reported seriously, leads to mistrust in the system and consequently a reluctance to approach them under any racist incident experienced.

Theme 2:All forms of media and communications, including new technologies
What actions would you suggest to tackle racism in new and more traditional forms of media?
Social media platforms should have a greater responsibility to take action when hate speech and racism is put on their platforms. Users should be removed from these cites when they incite hatred towards ethnic minorities.

What actions do you think would help to make broadcast media and the press more representative at all levels of everyone living in Ireland?

An increased presence of ethnic minorities on television such as current affairs, day time shows, the news etc. There are very few ethnic minority representatives on television. There should be a national campaign that is persistent to highlight the diversity within our communities. It should emphasises a no tolerance attitude to any sort of racism or discrimination in every aspect of community (schools, public spaces, etc). Short clips on tv advertisement breaks on what racism is and to equip viewer with the words on how to challenge discrimination in public spaces. to alleviate the fear that ethnic minorities endure on a daily/weekly basis.

What are the challenges posed by new technologies in terms of racism?
The spread of misinformation and hate speech has become increasingly present on social media and has contributed to people becoming organised in their targeting of ethnic minorities in Irish communities.

Are there any opportunities offered by new technologies to strengthen the fight against racism?
Focus groups with ethnic minorities to understand the risks of social media and influence that racism has on these platforms. Explore ways to counteract these incidents through methods of reporting and working with the Gardai when incidents become dangerous.
What actions should be taken by tech companies to help combat racism?
They should be fined when they refuse to take action.
What role can the regulation of tech companies play in combating racism?
Understand and listen to the concerns of ethnic minorities with respect to racist content. They should have clear guidelines which they should be required to act upon informed from feedback from those who experience racism.

Theme 3:
Employment, education, health, and accommodation.
How would you like to see racism tackled in the education sector?
Content changed in curriculum when it comes to any sort of depiction of ethnic minority groups lives or living conditions being inferior. There are generalisations made and it should be up to the teaching staff to include all cultures and explore their diversity. These should not be made as comparisons to the social construct that European or Westernised countries have deigned. Instead diversity should be explored and not compared against what Irish, Europeans etc believe is more sophisticated.

How can we ensure the equality of all children in terms of access to services?
Migrants may rely on Irish people or wait for services to inform them on how they access supports and services. Each community should have provide migrants with information on how to access services and how to register in doctor surgeries, dentists, social welfare entitlements such as medical cards etc.

What actions would you like to see taken in the health sector to address health inequalities based on ethnicity?
It is clearly outlined in the research that low SES communities and migrants have worse health outcomes. This is largely based on their income, but experiencing incidents of racism greatly contributes to elevated levels of stress with both negative short and long term health outcomes. The health sector should have a strategy to reduce this imbalance as it strives to do with people who live in low SES communities. Understanding the complexity of components which contribute to the ill health of migrants should be accounted for with an programmes developed to reduce their susceptibility to ill health and disease.

What measures would help to address racism in access to accommodation?
Reduce the level of racism by alleviating the competition for housing. Clearly outlining to the public the facts on how accommodation is issued and reducing the high level of misinformation that exists around fast tracking migrants into social housing. Challenge the narrative that breeds contempt towards ethnic minority groups from those who seek to pit them up against others who are years on the social housing lists.

What initiatives and actions would you like to see undertaken to combat racism in access to employment?
The requirement to provide your ethnic background. Qualifications for a position and experience should be enough to secure an interview. there also should be a requirement for all employers to employ a percentage of ethnic minorities or at least inclusion in interviews. If they do not pass the interview stage their should be transparency as to why one candidate got a position over the other, particularly if there is a difference in ethnicity.

Are there particular sectors of the labour force where action needs to be prioritised to combat racism?
I'm not sure but allot of migrants seem to disproportionately fill a lot of the lower paid positions and carers positions. Maybe if someone has a qualification from their country eg: law degree, business degree that is not recognised here, there should be an opportunity to do a bridging course for a year that is subsidised by the government.

What training and additional supports could help to combat racism in the workplace?

Employee and employer training on what racism is and how to call it out. Also there should a HR representative who is trained on how to deal with incidents of racism reported in the work place with a clear outline on how it was addressed and a plan for follow up with the employee who reported the incident.

What measures could be introduced to promote employment and labour market inclusion, as well as addressing the underlying causes of discrimination?
There should be a very clear outline on what racism and discrimination is, with sever penalties for those companies who do not adhere to it. The onus should be on the company to demonstrate their efforts for inclusion in addition to providing employee training on what discrimination is and the company response to incidence of discrimination.

Theme 4:
Inclusion and participation
What initiatives do you think could raise the public awareness of racial discrimination and help to combat racist stereotypes?
Nationwide campaign that clearly outlines what discrimination and racism is. How to call it out and support those who experience it. Education from a young age and parent presented with clear guidelines on how schools do not tolerate any form of discrimination in their school. Sport clubs, community organisations and services etc. all following the same line on zero tolerance to discrimination and racism. Make it uncomfortable for people to behave or direct racism and discrimination to individuals.

How can we remove barriers to the social inclusion and participation of under-represented and disadvantaged groups?
Barriers to inclusion seem to be based on the socio economic status. If you don't have the money you cant join in. This propagates a society that segregates on the basis of having money to access resources. Those from low SES communities, migrants and asylum seekers should all have the opportunity to attend sports and activities. This can be done by subsidising memberships in addition to requiring clubs to allocate a percentage of memberships that supports the inclusion of migrants in the absence of public facilities such as basketball courts, tennis courts etc. Some of these clubs argue that they seek full membership and as a result they justify the exclusion of migrants and low SES representatives from playing sports. So either provide public facilities or ensure that clubs do not have the argument of waiting lists or fees as a barrier to inclusion.

How can we ensure that those who are most marginalised are specifically included?
Firstly ask what they would like to be included in, and then fund it.
What initiatives would help to ensure public policy takes account of the systemic racism experienced by racialised communities?
Make it a public offence and have serious consequences to racism. All community services should be trained on how to deal with and counteract incidents of racism. Also provide them training through education and information on how to support those who deal with racism. Break down the barriers of inclusion that are presented when it comes to membership access. Where there are barriers to access to resources and services they generally result in migrants not having the money. Provide a way for them to overcome these through government funding. There should be no tolerance for people in positions of influence to make any derogatory terms towards people of colour. If they do they should be removed from their position immediately. They should also be compelled when called out on social media to

support racist terms to denounce these messages. Taking a back seat and saying nothing is not good enough.

What actions would you suggest to increase the numbers of people from minority ethnic groups participating and standing in local and national elections?

Opportunities for training towards such positions. If getting to these positions rellies on knowing the right people, develop a support network for migrants to introduce ways for them to take up positions.

What actions are needed to ensure that political procedures, processes and participation are anti-racist?

Speak with those who experience racism directly, take their experiences and develop actions based on their specific experiences. An active participatory led approach, not assuming anything or putting strategies in place that are believed to be important without consultation with those who it is developed for.

What action needs to be taken to address racism in sport? What positive actions could enhance this?

All clubs should be required to have a number of spaces available in their club available for migrants in clubs. Importantly there should be access to resources to support their ability to participate when these places are made available. Any member who makes any racist comment should be expelled from the club immediately. Inclusion and diversity officer in all clubs nationwide. Any parents who make racist remarks in children's matches should be asked to leave. Any child who makes a racist remark on pitch should be sent off for the remainder of the game.

What action needs to be taken to raise awareness of and address racism in arts and culture? What positive actions could enhance this?

Create opportunities for migrants to contribute through art exhibitions, plays, writing, poetry to display their culture and their place in Ireland.

What action needs to be taken to promote intercultural engagement and community participation?

All services develop a network which meet regularly to address racist incidents that arise within their community. A universal support system that is developed across the nation in place across all communities to respond and support those who experience racism or discrimination. A new dedicated service needs to be in place where ethnic minorities who experience racism can go to in a Meithal type approach. Gardai, mental health services, community services, support and development workers, Tusla etc. should all work together to support families, individuals who experience racism. There should also be an ongoing preventative structure in place to reduce such incidents and interventions should be reduced as a result of having these protective measures in place. Make it uncomfortable for people to behave this way. campaign across all communities with a no tolerance message to racism. Provide the public with the language to support those who experience racism.

Hello,

As Ireland has recently been rated 2nd most racist country in Europe, there's no place for complacency in this exercise. Racist treatment, attacks, name-calling, and violence occur far too often in this country.

More important than anything else, deliberate actions should be taken to ensure people who have experienced racism and their representatives are directly consulted and their views reflected in the plan. Second-hand impressions can often be wrong and a faulty foundation for subsequent policy.

Hate crime legislation on the way may help, if designed carefully, to balance freedom of speech rights.

Beyond the general data protection and human rights concerns around digital identity profiling, the question of ethnic bias needs to be monitored in application. The sort of dynamics in play are portrayed to some extent in this mini-documentary by the BBC about the killing of George Nkencho - ███████████████████████ ███████████ It is no excuse to say towns have diversified in population too quickly. Multicultural populations have become common in the past 20 years.

Special armed garda units need to be particularly sensitive and trained in emergency responses to those displaying mental illness, but also to practice compassionate policing and to know who to call who can best communicate with angry youth, terrified women, non-Irish with little English and many other behaviors of people experiencing distress. Community working in every respect can often address individual concerns and maintain harmony and trust. This is where investment is needed and would most show healthy returns.

A new book by Jeremy Williams, called [Climate Change is Racist](#), argues that the climate emergency is a multiplier of disadvantage. He says: "If you're marginalised in society for any reason, there's a strong change that you face a greater risk from climate change. That includes people with disabilities and the elderly. Women face a variety of specific vulnerabilities, depending on where you are in the world. Class and caste differences will matter, and nomadic people groups face specific risks. Perhaps the biggest difference in outcomes is the racial one, and the fact that the worst effects of climate change fall on people of colour, particularly in Africa and India. One of the reasons that these differences in outcome go unnoticed is that climate science, campaigning and policy making are all conducted within existing power structures. Inevitably, that brings certain perspectives to the fore, and

privileges certain solutions.Writing a book is an established route into thought leadership, and the vast majority of books on climate change are written by white men like me. We write confident and commanding books with titles that set out *How to Fix the World*, *How to Avoid Climate Disaster*, or *What We Have To Do Now.*

[However worthy those books are] there are 7.9 billion people in the world and only one billion of those live in what is traditionally known as 'the West'. While climate change originates in these places, it is not here that the battle will be won or lost. And it is not wealthy white men who will suffer most if we fail.

This is even more important in policy making, and we can see the influence of inequality in the way that climate change has been addressed up to now. Those insisting it is an emergency are those on the front lines in small island states or vulnerable African countries, but they do not hold the levers of power. And so targets are pushed back. Conferences are allowed to come and go with no progress made, for decades. Limiting warming to 1.5 degrees becomes an ambition, a stretch goal. Those who are made stateless and homeless in the difference between 1.5 and 2 degrees can only look on from the sidelines as their future is written off.

You could make similar points about climate science, where ethnic minorities are underrepresented, and where whole regions of the world are under-studied. Again, this leaves certain perspectives out, and that leads to worse science as well as overlooked injustices. "Diverse people ask different questions and science is all about asking good questions," says the director of earth science at NASA, which is working to improve diversity in its teams. [Consulting those affected by racism has to come first]

Finally, climate campaigning faces the same questions. The Green 2.0 project has been studying representation at the leadership level of environmental NGOs, and the results have not been pretty.

The first step to improving the situation is to be aware of it. If green organisations, universities, policy units and publishers know about the disparity, they can start to mitigate it..."

These points, adapted to the Irish perspective, should be reflected in the plan. It is an important exercise. Good luck with it

Best,

Dear Sir/Madam

I am writing as an individual regarding the consultation on the National Action Plan Against Racism. Having been involved with various campaigns or groups ▮▮▮ ▮▮▮ over the last 10 years I have particularly noticed a huge growth in online racism, online hate speech and online radicalisation/extremism. Only today for example I have seen a facebook video that includes statements such as "we need to wipe the jews out". I reported to facebook to no avail. If one were to peruse social media pages of many Irish people on sites like facebook, twitter, youtube, bitchute, gab, mewe, odysee and other social media platforms it would soon become very clear this type of opinion is very common. It is my firm belief that online radicalisation/extremism and combating hate speech online are the most important element of a National Plan Against Racism and I ask that these issues are given sufficient prominence in the plan.

Kind Regards

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To Who it concerns:

Firstly, I am of mixed Heritage origin /decent. I fully believe that no human being should be referred to by the colour of their skin. Referring to someone by the colour of their skin is a label that should be removed from Society. Afterall! Are the persons that are labelled "white" referred to as being "Pink" or "Yellow" and if so I'm sure would be highly insulted and wouldn't stand for it - so why should people of African decent put up with labels?

Secondly, the colour "black" is seen as dirty and not strong. As you see the word "black" is used in context such as "black bag - to put the dirt in" , "Work like a black" means that you work in a very hard labour intensive position " and not in neurology or physics! - something that is looked up to. And before you know it - the automatic thought is "Blacks are .... dirty"

Thirdly - the impact of being referred to by the colour of my skin "Black B...h or being shouted the usual derogatory words for me is the equivalent of being physically assaulted. These bullish words are like being hit in the stomach. Racial torrent and outspoken racial slurs should in my opinion be treated like an assault on the victim. It is a crime and should be treated as a crime so that victims can get some justice. Currently, we are supposed to stand there and let someone abuse us and if we respond we are seen as the aggressor.

Unfortunately, here in Ireland people of mixed African Heritage are more often than not are seen as aggressive and are being criminalised before they are able to defend themselves. The majority of us have dark hair and eyes, however, this should not be a reason to stop someone on the street because "they fit the profile". This behaviour is derogatory and something I have experience of. Please do not criminalise me because of the colour of my skin.

Tackling all of the above issues would go a long way in this country becoming intolerant to Racism and Racial abuse.
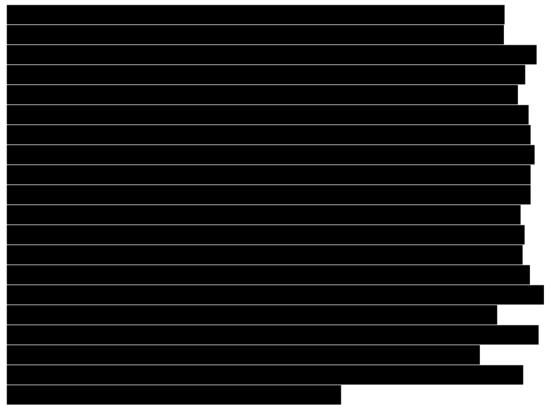
Dear All,

Thank you for the opportunity to engage with this very important process. ████████████ ██ ██ ██████████████████████ I am pleased to see all the efforts and changes being made in Ireland. I have a couple of things I would like to highlight for your consideration;

1. The use of the term or label as an 'immigrant/foreigner/expatriate' in the media and generally has implicit and often unpleasant undertones which reflect a lot of biases. Perhaps as government the use of a more generic/broad term could be encouraged/used

2. Recruitment processes could also be more open and deliberate in inclusiveness be it for ████████ work, part-time or full-time employment. ALL companies/organisations should be obliged to provide interviewees with detailed feedback on their interviews and also some details about the person that has been selected for the job and reasons why. Especially if the jobs are public or non-governmental/charity organisations whose funding may be coming from the public or government. Most organisations only say they had a high demand and competition was stiff, and that they can not provide detailed feedback to interviewees.

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3. Recourse for racial incidents even where they are subtle or based on individual/personal biases. The 'victims' should not be made to doubt what they feel/felt because more often than not it is difficult to prove with certainty or beyond reasonable doubt eg. If someone makes a monkey face at me or a security guard follows me around in the shop. These are extremely demeaning experiences and we should be able to report them and get some legal recourse as

with any other physical crime committed to an individual. I note that this has been raised already and I have been following, with interest, discussions with the Garda and the Minister for Justice and Equality. However, I would like to just add my voice.

Thanks again for the opportunity to engage, and I look forward to a positive outcome.

Kind regards,

A chara,

I work in education and live in a developing and growing North Dublin region.

Education -

In relation to my work I would like to see the following -

1That there would be a strong disciplinary procedure in place to deal with individuals holding public office and jobs in the public sector, including education, where there is proof of racism on the part of the individual. I don't think it should be seen as tenable for individuals to remain in public sector jobs or in public office if they engage in support for parties who promote messages of exclusion or racism. I don't think it should be tenable for individuals to hold public sector jobs or public office if they themselves engage in racism on line or in an activity.

2 I think we desperately need diversity in public sector jobs and in public office. Measures to support visibility of multiculturalism and to support diversity are needed as a priority in education-educators are still predominantly white. I would support a system of entry into early education, primary and post primary teaching courses whereby places were reserved for people of colour and for members of The Traveller Community. The Migrant Teacher Programme is a great initiative, that is a start, but not enough. Fast tracking, proactive support for migrants to teach here, using their professional skills and enhancing diversity in our education system would be welcome.

3 Schools provision of anti racism awareness can be hit and miss. The Yellow Flag Programme is a very successful initiative, but it cannot always facilitate all schools seeking to participate. I would like to see this extended and funded so it could be part of the SPHE in all schools or for a standardised programmes to be divised at preschool, primary and post primary school levels so that like the RSE and Stay Safe programmes, every school would engage and every school community would participate annually. The INTO has divised a training programme for teachers in this regard, but think this is the job of the department, not of the teacher unions or patron bodies, so that it is consistent and cohesive. In service for education staff and perhaps public sector workers is essential for those of us who work in state jobs to develop an awareness of best practices and an understanding of racism.

4 Supporting diversity in text books, play materials and library books in all education settings - Schools should have diversity in their provision of text books, online teaching content, parallel reading schemes and library books so that reflecting diverse lives becomes the norm. This might need supplementary funding to begin with.

5 Provision of support for translators for schools where otherwise parents or guardians won't understand assessments or vital information.

6 Following through with plans for Traveller culture and history to be a module in schools is vital. Again, this should be Traveller led.

Community - In relation to community, I think first and foremost, the system of Direct Provision, in its current form needs dismantling and the many fundamental recommendations regarding how we can best meet the needs of People seeking international protection need to be implemented.

Making sure our state response to and provision for people seeking international protection is not racist or discriminatory is vital. Giving people a place to call home during the asylum seeking process, where they can live and integrate, where they can go to school and get involved in clubs and activities in their communities, without fear of displacement, without being institutionalised is urgently needed.... Just this past week, families in Kerry, who were due to be uprooted and moved to Lettekenny and had made plans for this

upheaval, discovered they were to be sent to Leitrim instead. The move for a family with children, in education from one end of the country to another is just unconsciousable to begin with . The changing of plans is inhumane. What is the point in having any public consultation on anti racism when our state treats asylum seekers in this manner?

The waiting time for cases to be heard in our jurisdiction have been seriously out of step with European best practice. Two people have died through suicide in the past year. Also, it is paramount that persons hearing and making decisions about asylum seekers ' cases are screened to ensure they haven't a racial bias. In the event that they engage in comments or actions that are racist, after appointment, they should not be able to continue to hold their position.

To date, some communities have through their own initiative, developed migrant friendly supports in advance of welcoming asylum seekers and this has usually been successful in providing basic information, navigation of bureaucracy and systems for people settling as well as combating anti racist interference and sentiment. I think the word Failte is one that could possibly be used in sponsoring Community initiatives that promote inclusion and anti racism locally. One idea would be something like Tidy Towns or Fair Trade Towns schemes, whereby communities would be supported financially and otherwise in partaking in Failte schemes.... Possibly tied into St Patrick's Day - A who lives here, belongs here initiative....and community awards either through county councils or government department.

Real change -
What happens at state level influences what happens in community. What public representatives and bodies do and the influence of same can't be underestimated..... If a TD or Councillor engages in anti Traveller or other racist comments or actions or intervention I think they should be prohibited from holding office. Apologies are no substitute for sanction. I think before being eligible for running for election and for holding subsequent office if elected, candidates should only be eligible if they sign an Anti Racism charter (like Anti Racism community groups have used in recent times).

Where Traveller accommodation has been traditionally located has led to communities been marginalised. How sites have been condemned to being substandard has had real consequences on health, and in some cases safety. County councils failing to spend their budget for Traveller accommodation has been regrettable and inexcusable. Continuing with measures for government department of housing to take back responsibility for Traveller accommodation is necessary if change is going to happen. Engaging with Travellers in relation to accommodation is necessary, the same way as engaging with migrant voices and leaders in relation to bringing about meaningful changes for asylum seekers is vital. Turning around Traveller educational attainment, suicide rates, mortality rates and substandard and culturally redundant accommodation is a start regarding anti racist action needed.

One port of call in communities is Citizens Information. How can this agency, already at the coal face of supporting migrants, be supported in being part of Anti Racist messaging and initiatives? . They, post offices and libraries are places everyone goes to. Messaging in public spaces via posters should be multilingual, including Cant for Travellers.

People at different ages gather in different forums.... Parents and Toddlers, Youth Clubs, Sports Clubs, Foroige, Third Level, Trade Unions, Active Retirement.... Could there be a Anti Racism charter that all community organisations applying for funding, be it through County Council or State schemes, be required to sign up to and act on in their everyday running of their activities?

We have at present, growing and vibrant, educated and informed voices from The Traveller Community and Migrant Communities and advocacy groups who are already leading the way in Anti Racism awareness. After this public consultation phase, I hope that they will be engaged in guiding best practice going forward. Their experience, their voice, their input are needed.

I keep thinking of the difference between rubber stamped, politically correct recommendations that never actually get implemented versus real change
I keep thinking of how children need to see people like the reflected back in literature, programmes, games, toys, role models in education, in public spaces and public life for them to feel they belong and that they can dream it and be it, whatever that may be.

Is mise,

If we don't have effective anti racism legislation and racism continues to rise, we may find ourselves without a health service, as a very large percentage of the front line staff are foreign. We must also remember the millions of Irish people who were and continue to be welcomed in other countries.

Anti racism education is badly needed as a subject on the school curriculum.

Severe punishments must be meted out to perpetrators and aftercare available to the victims

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Sent from my iPad

Dear Anti-Racism Committee

I write to you as an academic who has systematically foregrounded, studied and taught about the question of race, ethnicity, racism and anti-racism in the education system in Ireland for several years. Unfortunately, I have not had the opportunity to develop a more detailed or planned submission for the public consultation, but I do wish to bring to your attention a number of persisting concerns about policy and practice relating to race and ethnicity in the Irish education sector. I have made some recommendations on how to address these towards the end of this submission.

The type of racism that is talked about in Irish education policy and practice, if at all, is that of racist bullying between children and young people (Department of Education and Skills [DES] 2013). Being anti-racist in schools thus involves tackling racist incidents as and when they arise. And of course, it is likely that well-meaning school staffs, themselves under pressure, take such incidences very seriously, and do their best to create a positive learning environment for all. But another version of racism briefly raised over 10 years ago by the National Council for Curriculum and Assessment (NCCA, 2005) guidelines on intercultural education is that of *institutional* racism. This differentiates between one's intentions, and the unequal and unintended outcomes of institutional processes.

This definition is important, as research on the presence of institutional racism in Irish schools is unequivocal. Aside from analyses of education policy as they relate to race and ethnicity, my research has used in-depth qualitative observations in schools which show the deeply ingrained, everyday ways that school settings frame students of minority ethnic and minority religious background as Other, even when they are seeking to include them (Kitching 2010; 2014; 2020; Kitching and Curtin 2012). Bryan (2007) demonstrates how under- and misrepresented Traveller identities are in school Civic, Social and Political Education textbooks. Discussing a national study of DEIS schools, Devine (2011) notes that 92 per cent of Traveller children are estimated by their teachers to be in the "below average ability" category. Devine asserts this to be "a clear indicator of structurally embedded patterns of inequality" (2011: 42).

Similarly, analyses by Darmody, Byrne and McGinnity (2014) refer to what they describe as the "cumulative disadvantage" experienced by students of migrant background in Irish secondary schools:

- Migrant young people are over-represented in larger schools, schools located in urban areas and those with a socio-economically disadvantaged population; this is related to housing inequalities and the barriers in place in over-subscribed schools;
- Schools subject to between-school competition are more likely than not to have migrant students;
- Byrne and Smyth (2011) found one-fifth of migrant students drop out of school compared with just under 10 per cent of students with Irish parents;
- There is a level of inflexibility regarding the allocation of resources for migrant students arriving during the year; and
- There is a deficit approach to language support, focused on migrant students' "lack" of language proficiency (English) and placing them in lower grades/tracks based on subjective recommendations of teachers.

Despite this evidence, the above reference to institutional racism has never been meaningfully engaged in the Irish education sector. The *National Intercultural Education Strategy* (DES 2010) made no reference to racism as institutionalised. While it talks about discrimination in school admissions and the issue of patronage, when seen in relationship to the NCCA document, it effectively drops the term institutional racism. The *Anti-Bullying Procedures* for *Primary and Post-Primary Schools* (DES 2013) defined racism in Irish education as something that happens between children and young people. It thus makes children and young people effectively responsible for a much wider societal problem. The *Migrant Integration Strategy* (Department of Justice and Equality 2016) does put forward a collection of educational measures, but there is scant evidence of progress in these apart from the Migrant Teacher Project. Indeed, the enactment of the *Migrant Integration Strategy* adopts a typical approach of hoping third sector organisations and schools will plug certain gaps, and entirely neglecting racism and integration in education as requiring a meaningful, co-ordinated approach.

There is hope of course, in the Traveller Education and History Bill, which, if meaningfully enacted, would go some way toward repairing the damage and distrust caused by generations of Traveller exclusion from schools and continued experiences of racism, poverty and marginalisation. There is hope in new generations of young Irish Travellers and People of Colour who are expressing their heritage and identities as a means of claiming national belonging and fighting racist structures. However, we also have a generation of young adults who have grown up in Direct Provision (DP), and who have been utterly failed not simply by the international protection system, but in terms of interagency (school-accommodation) connections. Research by Martin et al. (2016) on asylum-seeker children's lives in schools, and home-school relationships, offers another frankly alarming chapter in the history of research on DP and wider society.

Recommendations

Below are some high level recommendations based on the above research and on several years of experience as a teacher educator and anti-racism advocate in Ireland.

- Anti-racist professional development for teachers needs to become a compulsory part not just of initial teacher education qualification (with Teaching Council oversight), but a mandatory part of ongoing professional registration with the Teaching Council. Such professional development should also be a requirement of anyone seeking appointment as a school principal, and English language support teacher, or as a home school community liaison officer. Professional development opportunities should be provided in a systematised manner, and not as an ad hoc option as is the case with INTO summer courses for example. I refer to this as 'anti-racist' professional development deliberately, as it needs to confront the issue of institutional racism carefully, but nonetheless directly.

- The new National Access Plan for Higher Education needs to separate dependency on socio-economic disadvantage in order for ethnicity to be recognised as an access issue. The assumption that having a reasonably stable income and education will protect minority ethnic communities from the

disadvantages and exclusions caused by racism in accessing higher education is hugely problematic. In addition, supports for minority ethnic communities to enter and stay in initial teacher education in Ireland needs to be embedded as a feature of the Access system, rather than restricted to time-bound projects where teacher education providers must compete with each other for funding.

- Similarly, future reviews of Delivering Equality of Opportunity in Schools (DEIS) policy need to seriously grapple with the relationship between students' ethnicity and attainment in a way that understands the interdependency of ethnicity and socio-economic status for students and schools. Race and ethnicity are worryingly lacking from DEIS policy, and the absence of evidence on attainment by ethnicity should not be conflated with evidence of absence.

- The National Education Psychological Service (NEPS) seeks to support marginalised students by using a 'one-size fits all' approach. NEPS and the communities it serves would benefit hugely as an organisation from adopting the insights of culturally responsive psychology and assessment in supporting children, teachers and families. It is critical that the barriers to achievement and belonging that children experience because of racism are not conflated with or simply reduced to learning difficulties.

- Primary and secondary school inspection and self-evaluation processes need to specifically require schools to account for their approaches to tackling institutional racism, with specific guidance and supports coming from the Inspectorate. Such requirements need to include a focus on equitable hiring practices, representation of diverse communities on decision-making bodies, student attainment and disciplinary outcomes, staff professional development, and engagement of diverse forms of knowledge across the school curriculum.

- Home-school-community liaison officers require specific additional role-specific training in culturally responsive and anti-racist methods of supporting and engaging parents and families. This is crucial in order to avoid the stereotyping of migrant and minority families as 'hard to reach' or deficient in their education capabilities and aspirations.

I am available to discuss any aspect of the above – you can reach me at the email address below.

Sincerely

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A Chara,

I would like to take this opportunity to thank Minister Roderic 0'Gorman and the Anti- Racism Committee.

Racism is embedded with 4 pillars which are Power, Control, Manipulation and Jealousy(Green-Eyed) and not the colour of the skin. "All ethnic minorities are cut in the same cloth" which means they are all treated alike. Racism is a learned behaviour according to the system. Not everyone is a racist!.

"Not everything that is faced can be changed, but nothing can be changed until it faced" By James Baldwin"

Theme 1
Access to Justice Under Reporting and Forms of Redress.

To be more transparent and to support the victims on funding aid also engaging with Anti-Racism Organisations. It's difficult to challenge the case of hate speech and discrimination in a court of law.

Theme 2
All Forms of Media and Communications, including New Technology.

The media should talk more about racism, it's not an uncomfortable subject to talk about in Ireland even at the workplace, I recall another incident of a black woman who told her boss that she felt, the boss was racist according to the way she was being treated. The events that followed, unfortunately, the black woman was rather warned not to mention a word racist again by the hospital HR. If we speak on it often it will become a comfortable topic to discuss in the workplace.

Theme 3
Employment, Education, Health, and Accommodation.

I would like to see an undertaking to combat racism when it comes to employment, this would include the employment of ethnic minorities as a representative in the Human Resources & Recruitment Department as representation is power. For example, there is one hospital in Dublin with none Ethnic Minority employed in the Human Resource Department.

Also, the health sector needs the following: racism awareness, Code of Practice on Reporting/Solutions Structure which will be a guide to racism at the workplace, including advisory to racism victims.
Provide anti-racism training to Staff, Management, Union representatives and Human Resources. This will also allow for the introduction of diversity and Inclusion officers.

Theme 4
Inclusion and Participation

The power of Racial Discrimination prevails on Exclusion, you lose power which creates an opportunity to be controlled and manipulated.

Why racism is still a major crisis -
1.Lack of Procedures for dealing with allegations of Racism.
2. Denial of Existence of Racism.
3. The Systems/ local policies still exist with no changes in the public sector.

For example, a Minority ethnic is employed in one of the hospitals in Dublin was told not to have a tea break at 11 am according to the hospital policy, after a few years two Irish were employed in the same department. The two are allowed to have a tea break at @11, this practice is still in place.

4. Lack of representation/Denounces Racism.
5.Management/HR & Union - Lack of transparent/skills
6.Manipulation and jealousy(green-eyed).
7 Cultural Norms.

General Questions.

Most minorities live with fear and mental stress day by day.

The Golden Rule is "Treat People The Way You Want To Be Treated". No Education needed.

Kind regards,

███████████

Sir/madam

While the interim report contains many good initiatives one area that is flawed is within the focus on supports for gender based violence. While it is laudable that violence against women is treated as a priority, we must acknowledge that Domestic violence is a significant form of gender based violence. it is a gap therefore that there is no acknowledgement of male victims of domestic abuse. While this perhaps reflects the lack of will for meaningful research in that area, mirroring the shameful lack of funds or facilities for male victims in Ireland, we nonetheless have information to extrapolate from.

We know for example that in Ireland, based on the 2005 National Crime Council report, that 1 in 7 women and 1 in 16 men experience severely abusive behaviour in their lifetime. To put that bluntly, one third of victims are male. We also know that men are 6 times less likely to report the abuse. In spite of this there are no refuge spaces and around 1% of funding is allocated to male victims. While it is difficult to map this directly to other ethnicities, we know that the timing of the 2005 report is reflective of the modern and diverse Ireland we live in. Many male victims will have the same fears as female victims in terms of accessing justice, especially where their status to remain may be uncertain.

While it is entirely laudable to seek to help female victims this cannot and should not exclude male victims. If the sense is that female victims require a distinct section, then the scale of issue of male victims presented in the NCC report would indicate that services for male victims also require a separate explicit call out to ensure victims are reassured, prioritised and protected.

Male victims are not looking to diminish other victims however they would ask to not, yet again, be ignored

Regards

███████████

Hi,

My name is ███████████. I am an Irish Nigerian woman with a wealth of racism experience. One of my very first memories is of me on a stage aged █. I have been acting ever since. I felt comfort in each character, people weren't watching me or judging me that were watching and judging the character. It was relieving. As a young girl I didn't like that I was different, some people looked at me differently conversed with me differently. I honestly never felt I could be my true self, I didn't know who she was. When I began acting professionally it was a different ball game there were no parts for people like me. I felt because there was one girl like me already acting the quota was filled.

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I have recently taken the role as ████████████ for ██████████████████████. I am working with a wonderful group of people for an amazing organisation and we are making a difference. But there is a long way to go.

I feel I have a lot to bring and would love the chance to discuss this further.

████████

Get Outlook for iOS

Racism is still a very prevalent issue here in Ireland.

Education
I think education is a very determining factor when it comes to racism.

• Representation in primary and secondary schools is very important in order to make people feel included and not alone. <u>More teachers of colour need to be employed in schools.</u>
•Education on these topics is also important in order to end the cycle of racism. <u>The topics of Racism/Prejudice should be taught in the school curriculum & books to students ie. SPHE</u>
•<u>Schools should be assessed regularly for inclusivity regarding race</u>

Inclusion
More people of colour need to be placed in <u>positions of power to ensure that everyone has a say.</u>

Employment
In my view, an active effort needs to be made to <u>employ more people of colour and create more diverse work settings.</u>

Justice
•The supports that I would like to see in place in regards to racism within the justice department is proper training to be given to those in this department. <u>Training should ensure that everyone receives fair treatment, and that there is no prejudice.</u> I would not like to see the Irish judicial system become reflective of that is countries such as the USA or UK.

•People of colour who experience racist attacks/encounters should be able to <u>report such behaviour to a helpline/Gardaí, and the necessary repercussions should brake place</u> .

•<u>More people of colour need to be recruited into the Gardaí.</u>

Media…
In order to combat racism, social networking sites should take online racial harassment very seriously

Submission to 'Towards a National Action Plan Against Racism for Ireland'

Public Consultation 2021

In preparing this submission, I have read the Report of the Anti Racism Committee of November 2020 (Dept for Children, Equality, Disability, Integration and Youth, 2020). I have also referred to the last National Action Plan Against Racism, 2005-2008 (Dept. Justice Equality and Law Reform, 2005). I have focused on eight general areas which I would like the Anti Racism Committee to consider in preparing the National Action Plan Against Racism. These are; (1) action plan structure, (2) evaluation and periodic review, (3) education, (4) community development and community education, (5) intercultural leadership, (6) sport and recreation, (7) cross-cutting and intersectionality, and (8) international commitments on racism. I have also included short answers to the questions posed by the National Anti-Racism Committee at the end.

1. **Action Plan Structure**
   The structure of the previous action plans seem to be a good template. The context is important to review as it has changed considerably since 2008, notably, geo-political changes such as BREXIT, election of Trump in America, Black Lives Matter movement, yet little change in other ways for example, the experience of Travellers in Ireland who remain subject to systemic racism and everyday racism. Also with previousl plans a framework of domains where racism is encountered is useful, personal, social, economic, educational, legal, political and cultural (similar to human rights instruments ICCPR, ICESCR). It may also be useful to have a cross-cutting approach to look at how these domains are connected in the life experience of the person or community who receive racist abuse. The Consultation Themes already identified is also a good framework; *Racism Online and in Social Media, Racism in the Labour Market, public, private and voluntary sectors, Racism in Public Service Delivery, Racism in Education, Supporting Victims of Racism, Identifying Good Practice in Combating Racism, Intersectionality, including Women and Racism; Racism and People with Disabilities; Racism and Sexual Orientation,etc A Glossary of terms would also be very useful to explain such concepts as Systemic Racism, Structural Racism, Institutional Racism etc*.
   The Anti-Racism Committee might consider including either a section or intersperse across sections, the following;
   1.1 some examples of modern day racism (either reported incidents anonymized or disclosed) in different settings e.g. schools/classrooms, playgrounds, workplaces, pubs/hotels, on public transport, in hospitals and GP surgeries, in applying for work, job interviews, in newspapers, social media, radio, council offices, welfare offices, in viewings of accommodation, seeking to rent accommodation, in courtrooms, Garda Stations, the everyday places where racism is encountered
   1.2 Also include some good practice examples of actions taken which have challenged institutional racism or everyday racism in raising awareness and providing victims and witnesses the tools to challenge racism.

2. **Evaluation and Periodic Review** needs to be put in place in the Action Plan from the start. In preparing this submission I read a good part of the last National Action Plan Against Racism 2005-2008. If only we had implemented even a fraction of the recommendations of that plan. We cannot keep doing this, preparing action plans that are not implemented. Therefore, as part of this Action Plan there needs to be a comprehensive honest independent evaluation of *Planning for Diversity: The National Action Plan Against Racism 2005-2008* and/or specific evaluations of actions undertaken/or not and commitments made in relation to the different areas at the time e.g. education, health, accommodation etc. Rather than delaying the roll-out of the new plan, such an evaluation process could be built into the new plan with a benchmark to the original plan, starting immediately. (Whilst the new action plan provides a new opportunity for Ireland to reject racism, such an evaluation might explain why we have waited for 13 years for this second National Action Plan Against Racism. The evaluation might explain why we have allowed a racist direct provision system to remain in place in that time and why local authorities have

failed to implement Traveller-specific accommodation programmes. The purpose of the evaluation is not to blame but to explain and to learn lesson for this new action plan).

3. **Education has a key role in the National Action Plan Against Racism**. As an educator in the third level education sector, I believe education has a vital role to play.

   3.1 At pre-school, primary, post-primary, further and higher education levels both formal, non-formal and informal, all educators must receive mandatory anti-racism training. This should be on a par with child-protection training. This tends to be delivered on an in-service basis to existing educators and needs to be implemented on a continuing professional development basis at a minimum.

   3.2 However, teacher training and education programmes at all levels listed above must include comprehensive education about racism, origins, history, modern manifestations. Such education and training programmes must combine theory and practice to develop educators who work from a praxis approach (Freire, 1970) that raises consciousness of racism, challenges racism and eliminates racism.

   3.3 **Education spaces need to embrace interculturalism**. From the playground, the classroom, the meeting hall, the staff room, the canteen, the recreation areas, the lecture theatres, the assembly areas and the gyms all areas of the education environment must become spaces that embrace minority cultures, diversity and say no to racism.

   3.4 **Educators from Diverse Backgrounds**. Crucially, we need more black, coloured, minority ethnic, Jewish, Muslim, Traveller, Roma and Asian Educators among the staffs of our schools, colleges institutes of Technology and universities.

   3.5 **Diversifying the Curriculum**. Having regard to the outcomes and implementation of existing action plans in regard to Intercultural Education Strategy, 2010-2015 (Dept. Education and Skills, 2010), Report and Recommendations for a Traveller Education Strategy (Dept. Education and Skills, 2004/05) and National Traveller and Roma Inclusion Strategy 2017-2021 (Dept. Justice and Equality, 2017)

      3.5.1 the committee might consider the example of work promoted by ███████████████ ███████ to promote the inclusion of MInceir Traveller Culture and History in the curriculum and similar models with the National Council for Curriculum and Assessment. This is one way of embedding interculturalism in the curriculum.

      3.5.2 <u>Embedding anti-racism education across the curriculum at all levels of education</u> is important as well as specific anti-racism training and education to demystify theoretical concepts in an accessible way e.g. white privilege, whiteness, allyship etc. There is a danger that jargon emerging from the media (soundbites) and academia such as BAME (referring to Black, Asian, Minority Ethnic, a term with which I am uncomfortable. Who gets to name the experiences and label groups in these ways, is it the people themselves?). Also terms such as 'white supremacy', 'far right' form part of the discourse as well as 'cancel culture', and decolonizing the curriculum. These concepts should be unpacked in a meaningful way as part of the education process.

4. **Community Development and Community Education**
Community Development and Community Education are distinct disciplines and fields of practice yet share common values and goals of participation, inclusion, empowerment, human rights and equality to name a few. There are models of collaboration between community workers and community educators which have come together to meet the needs of people living in urban and rural communities of place and communities of interest. In particular community development and community education are concerned with the most marginalized and excluded in our communities. An alliance across community development and community education could also prove effective in combatting racism. Some examples have been referred to in the story of community education in Donegal where community development workers and community educators often coalesced in responding to issues affecting grassroots communities, unemployment, emigration, isolation etc. (Donegal ETB and Donegal Community Education Forum, 2018).

4.1 In the context of *Sustainable, Inclusive and Empowered Communities: A Five-Year Strategy to Support the Community and Voluntary Sector in Ireland 2019-2024* (Dept. Rural and Community Development, 2019) and Future FET: Transforming Learning, The National Further Education and Training (FET) Strategy 2020-204 (which includes community education), there is potential for harnessing funding to deliver training and education locally for adults and young people on anti-racism and follow up community development actions to raise awareness of and address racism.

5. Leadership in Intercultural Communities

Further to 4 above, the substantial cuts to community development following the last recession led to a withdrawal of community workers from locally-based CDPs to larger more centralized Partnership companies. As a result some communities were left with a gap in local leadership and many of the issues affecting the lives of people living in areas, housing, unemployment, intercultural conflict and racism were left neglected and to fester.

In 2017, Partners Training for Transformation, TU Dublin Community Development and Youth Work Programme, Safer Blanchardstown, Fingal County Council Community Services and Empower (formerly Blanchardstown Area Partnership) formed a collaboration to run a training programme in two communities of culturally diverse populations (Tyrrellstown and Balbriggan). Approximately 25 adults (women and men) of diverse backgrounds, Traveller, Roma, African, Irish Asian, European living in the communities including a Garda and Public Representative, came together to do the training. The *Certificate in Leadership in Intercultural Communities* ran over the full year one half day per week per week in each community.The programme took place in the community centre in each area on an outreach basis from the TU Dublin Blanchardstown Campus. This is a model which could be replicated by other third level institutions across Ireland.

5.1 Such an outreach model (above) of intercultural leadership and anti-racism training programme in collaboration with community development and community education could be adopted and funded by the Higher Education Authority as a ring-fenced budget. Alternatively, it should be stitched in as a requirement for drawdown of the global capitation grant allocated by the HEA to each third level institution in Ireland.

5.2 Similarly, substantial research funding is allocated annually through the Irish Research Council and other bodies. A strand of this funding should be specifically focused on Anti-Racism Action Research. It is important that there is an action dimension as there is a plethora of research telling us what the problem is but very little demonstrating real action how to address the issue.

6. Sport and Recreation

In recent years, organisations and campaigns such as Sport Against Racism (link www.sari.ie) and Sanctuary Runners (link www.sanctuaryrunners.ie) are to be welcomed as are the initiatives by different Sports organisations. However, there needs to be more proactive action at local club level to know racism and act to address it in the clubs and communities. The global and national rhetoric of sport being the great leveler or equalizer needs to become real at the local club grassroots level.

6.1 Some sports organisations (including grassroots clubs) receive substantial state funding for capital infrastructure (pitches, tracks, gyms, club facilities, centres of excellence etc.) as well as support grants. Public funding should be tied/linke to commitments and demonstration of actions to address racism and promote inclusion of Traveller, Roma, Migrant and Minority ethnic communities in their local area. The cost of subscriptions to such clubs can also be unaffordable as members of cultural minority groups are often affected by poverty, uemployment and low income.

6.2 Proactive Anti-Racism Campaigns need to be promoted from the national Sport Ireland and national sports bodies and become a requirement in the activities of each local club. These campaigns will raise awareness of racism and put in place actions which club members can take to call out, disclose and challenge racism encountered as either a victim or witness.

7. Cross Cutting and Intersectionality (Local and National levels)

Whist the state may appreciate the need for high level inter-departmental alignment on state policy in a particular area e.g. climate change, the reality on the ground is quite different. For example the Department of Agriculture's Food Harvest 2020 directly contradicts Ireland's Climate Action Plan. Similar incongruity and lack of joined up thinking and action must be avoided in the inter-departmental framework of this next Action Plan Against Racism.

It is one thing at national level for the state at central government and department level to be aligned in a whole of government approach, it is quite another for this to trickle down to local government or even local community level. Perhaps a bottom-up grassroots led approach might be better. There has been a terrible failure at local government level on the major issues of our time, housing and accommodation being the main one.

is simply not good enough having one section of a county council promoting community development, intercultural integration, cultural diversity activities on the one hand e.g. Local Community Development Committees whilst another section in the same council, Planning and Housing acts with open racism in completely ignoring, neglecting Traveller accommodation and maintenance of halting sites.

7.1 The cross-cutting and inter-departmental approach must apply to the local as well as the national levels and all the time, it must include the voices of those who have first hand experience of racism and marginalization.

7.2 Similarly, there is intersectionality in terms of discrimination experienced on other grounds such as age, gender, ability, family status, marital status, sexual orientation, creed, (in legislation) as well as socio-economic status and address. It is good to see this intersectional approach being adopted by the committee.

8. Ireland's International Commitments on Anti-Racism

Ireland currently holds a seat at the UN Security Council. In fact many of the countries which Ireland lobbied are countries of the global south. Ireland claims empathy with post-colonial nations given our own colonial experience, however this should not blind us to acknowledging our history of complicity in colonialism and racism as a developed nation of the global north. That said, Ireland has traditionally supported self-determination of Palestine in the face of racism and apartheid under the state of Israel. Ireland opposed apartheid in South Africa. Ireland has been commended for our contributions to UN Peacekeeping. At the same time, there is inconsistency in Ireland's acquiescence in illegal wars in Iraq through the facilitation of US forces in transit to Iraq through Shannon Airport. Ireland needs to make an honest evaluation of our international record on racism be it through our foreign policy, aid or actions as part of international bodies for example the EU. We need to ensure that any National Action Plan Against Racism at home will translate to our words and actions abroad.

8.1 Ireland must scrutinize and anti-racism proof the EU Commission and Council of Europe policies, directives and actions from the perspective of racism. For example, the EU's agreement with Turkey in 2016 in respect of the Mediterranean Refugee crisis during the war in Syria, demonstrated a racist fortress EU approach to asylum and immigration. It could be argued this is an example of institutional racism if ever there was one. Ireland needs to carefully approach EU policy towards the Global South which includes the most racialized and poorest countries of the world and demonstrate solidarity. This includes proofing policies in terms of climate change, fair trade, aid, health care (vaccines) and asylum and international protection to name a few.

8.2 The committee might consider including some reference to historic conflict and post-conflict context on the island of Ireland particularly, relations between the two main traditions in the North and how these eclipse minorities experiencing racism. In the context of the Good Friday / Belfast Agreement of 1998 and subsequent democratic institutions in Northern Ireland including

North/South and East/West relations, there are two challenges to be addressed. The outcomes of BREXIT and the Sectarianism in community relations in the North. These affect not only the two main traditions, but also the minority cultures who experience racism often neglected with the focus on sectarian divide between Loyalists/Nationalists and Republicans/Unionists.

I have also included summary answers to the specific questions posed by the National Anti Racism Committee here below.

General Questions
1. **What do you see as the most important problems facing minorities?**
   Access to quality education from pre-school to third level and beyond.
   Access to jobs in key visible professions such as law enforcement police, justice, and teaching and health care nurses and doctors, news presenters, media in all domains of life. We need more people of diverse backgrounds Traveller, Roma, Migrant, Black, Coloured, African, Asian backgrounds in these professions.
2. **What initiatives do you think would address gaps in data gathering and use?**
   Link the data to the funding. Unfortunately, a carrot approach does not seem to work. It would be ideal if public and private organisations proactively collected disaggregated data voluntarily in a proactive way but unfortunately it is not done.
   - Lack of time and resources should not be an excuse for not collecting equality data. For example, third level institutions should be allocated time and resources to do so. If the data is not provided after providing funding and resources, then the funding should be withdrawn or cut until the institution does provide the data. There is also the phenomenon of people wishing to hide identity or ethnicity out of fear. This does need to be addressed. In so far as possible, ethnic identifier information boxes either hard copy or electronic should require an input by the user.
   - Furthermore, if public or private bodies continue to fail to produce equality data or meet set targets, then public funding should be reduced or withdrawn.
3. **How would you measure how well the plan is working?**
   Refer to main section 2 Evaluation and Periodic Review above.
4. **Who do you think needs to be involved in the implementation and monitoring actions recommended in the Plan?**
   In particular the representatives of groups who experience racism.
5. **Recognising that the Action Plan will cover many issues, what are the two areas that you feel should be prioritised for early action?**
   In this submission I have focused on Education, Intercultural Leadership Education and Training and Community Development (Sections 3, 4 and 4 above).
6. **What is going to make the biggest difference in the longer term?**
   Ensuring anti-racism is embedded in the education system at all levels as well as across national and local government. Local government has a crucial role. Local government is failing on housing and accommodation and intercultural community formation and support.
7. **Does the experience of racism change depending on the person's gender, age, sexual orientation or family or civil status?**
   Whilst I do not have experience, I do believe racism is made all the worse for the victim who are gay, and female for example. It is deeply worrying that there is deep discrimation in some societies towards gay people, where to be gay is criminalized and where women are treated as second class citizens. This is an area that people are hesitant to name in case it amounts to making cultural judgments about the treatment of women and gay people for example in some societies. An open conversation needs to be held around this in appropriate spaces e.g. education.

8. **How does the experience of racism interact with disability?**

   There is further exclusion. It can be particularly marked where there is no provision for intellectual disability or physical disability among people of minority ethnic groups and other nationalities and language/cultural backgrounds. For example, if one is black and from a migrant background having survived trauma such as war, often a white Irish counsellor may not be the best equipped person to support that person. Disability supports should be culturally appropriate also.

Conclusion

I wish the Committee well in this important work.

Subject: Africa Centre Ireland's Submission & Recommendations to the National Anti-racism Committee - Ireland's National Anti-Racism Plan

Organisation's Background: The Africa Solidarity Centre Limited (Africa Centre) is the first African Diaspora registered Charity in Ireland. For the past 20 years, the organisation has been working with a cross-section of the African diaspora communities and other stakeholders to facilitate the positive integration of Africans in Ireland. It has also been proactive in raising awareness on issues of global inequalities, injustices, poverty, violation of human rights and the use of negative images and messages about Africans and the continent of Africa in Ireland and at the European level.

The Africa Centre's vision is of a just, tolerant, and inclusive society that recognises and values the mutual benefits of inclusion and participation and is conscious of our global interconnectedness. Africa Centre's Mission is to facilitate the meaningful inclusion of African People in all social, political and economic aspects of life in Ireland and influence development policy in Ireland and in African countries.

Submission's Background and References:

- According to the 2016 census, it was noted that there were or around 535,475 people whose nationality was different than Irish making it at about 11.6% of the population. Those were from 200 different countries, and a significant number of migrants have become Irish citizens

- Around 60.000 of those are of Africans and African Descendants

- According the FRA report of Being Black in the EU, the prevalence and frequency of harassment motivated by racism is the highest in Ireland compared to other EU states where 51% of people of African descent in Ireland experienced hate-motivated harassment, compared with 21 % in the United Kingdom; or 41 % in both Sweden and Denmark, compared with 63 % in Finland; or 23 % in Portugal, compared with 32 % in France and 48 % in Italy

- According to the recent [European Social Institute Research Ireland (ESRI) and Dept of Justice and Equality report](), Black non-Irish people are five times more likely to experience discrimination when seeking employment in Ireland and both the Black Non-Irish and Black Irish groups are much less likely to hold a managerial or professional job, despite many Migrant groups including people from Black ethnicity having higher levels of education. Around, forty percent of the migrant population have third level qualification.

- Launching the report Minister David Stanton TD, Minister of State for Equality, Immigration, and Integration noted: "... for the first time, thanks to the use of detailed data from the 2016

- census, we can see how someone's integration journey is influenced by their country of origin…"
- International Law provides three key legal options to penalise individuals who have committed serious human rights abuses – Why would the state, signatory of those law signs them at international level and refuse to imply them at home?

While the last census and many other report have shown a slide fall in the number of Non-Irish nationals due to diverse reasons, there had been a significant number indicated in the census to be non-Irish national residents in Ireland which need a great attention to all the issues affecting them and in particular the African diaspora communities, including all People of African Descent which the Africa Centre main concerned will be focusing on.

However, the strong focus for this submission to the committee is to strengthen and seeks to determine the progress made to date on the implementation of the Committee on the Elimination of All Forms of Racial Discrimination through the concluding observations following Ireland's previous examination and the UN International Decade of People of African Descent Resolution 68/237 of 23 December 2013. The Africa Centre note that it is important to point out that it does not seek to provide a comprehensive examination of substantive areas of law and practice in this instance as such, but advice that could be led by an exercise in carrying out a form of a shadow report to propose a national action plan or strategy for PAD in Ireland.

The Africa Centre Ireland considering this consultation want to thank the Department of Justice and its appointed members for the National Anti-Racism Committee for this opportunity, welcome the initiative and call for an immediate measures to consider the UN International Decade of People of African Descent Resolution 68/237 of 23 December 2013 and its Programme of Activities, the full protection of People of Africa Descent and it full implementation process in Ireland.

We are calling on the Irish Authorities to foresee strong commitments and put a strategy plan in place to work toward the Decade and its programme of Action implementation and that in conformity to international human rights standards.

We strongly believe that to recognise and combat Afriphobia as all forms of racism and discrimination affecting People of African Descent in Ireland; need a robust approach involving all communities and actors working on the field to not only identify the issues affecting People of African Descent (PAD) but also come up with efficient solutions to tackle them through policies and laws as recommended by the *UN General Assembly Resolution 68/237 of 23 December 2013*, noting the *"Proclamation of the International Decade for People of African Descent"* which began January 1, 2015 and the UN Working Group of Experts.

Ireland as to all EU Member States and members of the United Nations have unanimously declared that people of African descent have been the victim of the transatlantic slave trade, colonialism, and apartheid. Ireland and EU's member states have therefore, an obligation to show solidarity towards

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Africans and people of African descent in the People's persistent fight against Afriphobia, racism, racial discrimination, xenophobia, apartheid, and other forms of systemic intolerance.

Therefore, Ireland must adhere to the United Nations Durban Declaration and Program of Action of

2001 which includes part of the actions to be taken to tackle these serious issues. The developments have since then manifested themselves in the UN Decade for People of African descent (Ref. Submission made to the Department of Justice by our Chairperson on the 25th February 2019 meeting).

In Ireland, the African diaspora and decedents are faced with all forms of hate, Afriphobia, racism and since the proclamation of the UN Decade for People of African Descent in 2015, it will be only right to get the diaspora recognised and work together with partners to fight the injustices we face on daily bases.

This is fundamental and basic rights as it has been recognised by the UN because across the world, the People of African Descent (PAD) tend to be among the most discriminated (Ref. Policy Recommendations by the European Network of People of African Descent (ENPAD) and the European Network against Racism (ENAR) based on the FRA survey "Being Black in the EU") and the UN recognised this through its Human Rights instruments as recognised by the UNCERD (UN Committee on Elimination of Racial Discrimination) .

The International Convention on the Elimination of All forms of Racial Discrimination have general recommendations for People of African specifically and this applies to all countries where the only international convention that deal with racial discrimination - the convention of elimination all forms of racial discrimination.

As this is the situation and because all human beings are entitled to equal dignity and rights, Ireland has an obligation to protect PAD against all these forms of discrimination.

It is the responsibility of the state to totally ensure that all its members enjoy equal dignity and rights without being discriminated and this is a fundamental right.

In reference to our previous document recommendation and in accordance with the UN instruments and the UN Resolution guidelines, the state should develop measures, policies, laws for discriminated groups and to promote and protect their equal rights, freedom, and enjoyment to life.

> "*Across Ireland, including in the European Union (EU), people of African descent in the Diaspora are among the most discriminated against, and rooted in centuries of* **institutional racism, including, enslavement, colonialism, systematic anti-Black racism** *(or* **'Afrophobia/Afriphobia'** *as it is also called in the EU) across areas of society and segregation".*

The Africa Centre Ireland is strongly and affirmative that this has been so long overdue and has echoed the long calls by various civil society organisations and human rights activists across Ireland

(III)

for Hate Crime and Anti-Racism Legislation. Therefore, we welcome the Department of Children, Equality, Disability, Integration and Youth to move on protecting ethnic minorities and in particular the Africans and People of African descent who are the most vulnerable and victims of abhorrent racism, hate crimes in all existing publications of the *Being Black in the EU* (2018) report by the European Agency for Fundamental Rights (FRA), the *European Parliament Resolution on Fundamental Rights of People of African Descent* (2019), *European Parliament Resolution on the Anti-Racism Protests Following the Death of George Floyd* (2020) and *A Union of Equality: EU Anti-Racism Action Plan 2020-2025*.

We strongly remind the Irish Authorities, that the international community is at a point in time where affirming equality within and among countries - e.g. as Sustainable Development Goal 10 does; is more critical than ever. As **Dr. Martin Luther King Jr** on the **"three evils"** and racism as the greatest threat to **"recognising our common humanity internationally as well as domestically"** remains true now and more than ever as recent **"Black Lives Matter"** demonstrations stand as a testament to the critical global importance of addressing the scourge of racism and hate.

Therefore, we urgently call on the minister to bring significant immigration reforms and introduce very clear rules and changes that will enhance the immigration system and enable the recognition of equal and the EU Treaty rights and residency rights, family and students' rights.

We firmly seek that the department examines an emerging trend and challenge which will include fighting racism, all forms of traffics and exploitations and ensure that Ireland's immigration system is better for all citizens, migrants in Ireland.

We call for further research to be carried on to address the political participation, the challenges of integration including difficulties of family reunification; what are migrants experiences in Ireland, the experience of migrant children and in particular those of Africans and People of African descendants and tackle racism with the views to inform policy and incite debates to make Ireland a better society for all.

We call on the Irish authorities to set out a fair and workable framework to establish and develop an appropriate legislative frame that will protect all citizens of Ireland against any form of hate crime, racism, Xenophobia, Afriphobia or any form of discrimination as stated under the EU Court of Human Rights, and states obligations to ensure that the possible "hate" elements of crimes are properly investigated, in order to protect vulnerable minorities within the population

Focus Points in this Submission
Implementing the International Decade for People of African Descent

The Africa Centre Ireland strongly recommend:

- The implementing hate crime and anti-racism legislation, will strengthen the integrity of the universal human rights system and its principles of equality and non-discrimination and

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(IV)

serve to bolster an ethic of global citizenship, cooperation and equality within and among countries (cf. the [2030 Agenda for Sustainable Development](#)) and in particular in Ireland.

- We firmly believe that not only a National Action Plan Against Racism for Ireland but also providing a hate-crime legislation will be a step towards breaking vicious cycles of inaction on hate, racism in general and anti-Black racism in particular, e.g. the implementation of the *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) (1965) and its "special measures" provisions.

- Ireland must also and undeniably support at UN level the creation of a Permanent Forum that will effectively advance the objectives of the UN International Decade for People of African Descent 2015-2024; and probably more effectively than the Decade that many member states are lagging behind on the implementation...

- Ireland must provide a broad mandate to offer recommendations across the UN system which will strengthen laws and policies in tackling hate and racism in Ireland and to promote and protect the human rights of people of African descent.

Implementing the International Decade of people of African Descent, and addressing its three pillars *(Recognition, Justice, Development)* not only will set up actions in tackling racism and hate among the vulnerable groups, but also recognise, promote and address systemic problems affecting our communities, diversity in education, tackling barriers and the labour market discrimination, social and cultural problems, mental health, housing discrimination and inequalities, and provide access to healthcare services, social services for all citizens, African's children and families but also all ethnic minorities, migrants etc.

The Convention on the Elimination of Racial Discrimination

The Africa Centre Ireland is strongly calling for appropriate measures by the government to:

- The International Convention on the Protection of the Rights of all migrant workers and members of their families.
- the Protocol to the Convention Against Torture.
- the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography.
- the European Convention on Human Rights; and the additional protocol to the convention on cybercrime concerning the criminalisation of acts of a racist and xenophobic nature

International human rights standards

The Africa Centre Ireland is strongly and firmly calling on the Irish government to abide by the International human rights standards by dealing with the following:

- End immediately the Direction provision System in Ireland

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- Protect the rights of asylum seekers and refugees
- End all forms of Police violence & Brutality
- Address and remedies all the unlawful immigration detention & deportation
- Ireland must meet its obligations under CERD by addressing racial discrimination
- Ireland must review its current approach and maintains its commitment to equality and non-discrimination

National legislations

- Ireland's reservation / interpretive declaration to Article 4 of the Convention remains a total failure to ratifying those several international treaties of relevance to racial discrimination and is of no sign of seriousness in tackling hate, racism, and all forms of discriminations
- the right to freedom of expression, as well as the growing body of evidence about significant levels of discrimination against, and troubling attitudes towards, ethnic minorities and of people of African descent in Ireland

Collection of disaggregated data

- The state must collect and support the collect of disaggregated data for an adequate and regular assessment of the extent to which the state meets its obligations under international law across a range of sectors
- The state must collect information on ethnicity as standard, and put a strategy in place for coordinating integration in the approach to the data that is collected
- The state must State improve how data are collected and how it reports on human rights and equality data specifically on minority ethnic groups across various groups to inform the policy-makers, encore legislative reform, and a better provision of services.

Lack of Support for civil society organisations e.g. African Diaspora led organisation been subjected to unfair and discriminated funding.

- Take appropriate measures to tackle Afriphobia and all forms of injustices against Africans and people of African Descents
- Discrimination and prejudice on the grounds of race
- Discrimination / prejudice against the Traveller and Roma communities
- Islamophobia and anti-Semitism
- Provide adequate and sustainable funding to civil societies and importantly, ethnic minorities and people of African descendants' organisations.

Recommendations:

- combat racism and promote intercultural understanding as a key strategic priority
- Economic and Social Research Institute (ESRI)
- Ireland has not ratified several international treaties of relevance to racial discrimination and

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must ratify these treaties and protocols as a matter of priority and show their serious

- Legal framework on incitement to hatred and hate motivation
- The Prohibition of Incitement to Hatred Act 1989
- Monitoring and recording of hate crime and hate-related incidents
- Police recording of crime and non-crime incidents
- Put a monitoring mechanism in place that will evaluate regularly the actions achieved and provide further guidelines in tackling and eradicating all forms of discrimination
- The Africa Centre believes it is important to take a strategic stand against racism in Ireland through anti-racism campaigns, allyship efforts and education so that people of African descent can tell their stories with a view to challenging the stigma, stereotypes and alienation of Africans in society.

The Africa Centre reiterate their call for the UN International Decade for People of African Descent, to be observed from 2015 to 2024 in Ireland. This important declaration by the UN constitutes an auspicious period of history when the United Nations, Member States, civil society and all other relevant actors to join with people of African descent and take effective measures for the implementation of the programme of activities in the spirit of recognition, justice, and development. Equally it will be important for our government here in Ireland through the Department of Justice, working closely with Africa Solidarity Centre and other NGOs to work on the UN-IPAD implementations.

To be in line with the concept of totally, eliminating all forms of racial discrimination against Africans and People of African Descent, the African Centre believe and call that:

a) for a recognition and inclusion of Africans and the United Nations International Decade for People of African Descent (UN-IDPAD), their ethnicity, diversity, and cultural richness

b) identity and make it inclusive within the Irish society, the African's pride, and self-esteem and in overcoming the legacy of economic marginalisation and discrimination.

c) provide Africans and People of African Descent (PAD) with a new platform for positive engagement and dialogue with the Government in seeking for sustainable solutions to their issues.

d) work to address the issues that face the African and PAD community in areas including migration, health, employment, education, and accommodation.

Advocating for the UN International Decade for People of African Descent (UN-IDPAD):
In the midst, of growing international calls that *Black Lives Matter and the enduring legacies of enslavement and colonialism be repaired,* the Africa Solidarity Centre express its strongest and unconditional support for the UN Working Group of Experts on People of African Descent, and urge the Irish Government to collaborate with the UN and more vigorously, insist on the effective implementation of the International Decade for People of African Descent 2015-2024 and, also call on Ireland to join the UN to heed the growing international call for reparatory justice.

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The Working Group is undoubtedly, a result of the third United Nations World Conference Against Racism in Durban, South Africa, 2001 in which, Article 7 of the Durban Declaration and Programme of Action:

"Requests the Commission on Human Rights to consider establishing a working group or other mechanism of the United Nations to study the problems of racial discrimination faced by People of African descent living in the African Diaspora and make proposals for the elimination of racial discrimination against People of African Descent".

The existence of the UN Working Group of People of African Descent is critical in the continued implementation of the Durban Declaration and Programme of Action which remains the world's most comprehensive human rights instrument against racial discrimination, and in particular those acted toward People of African Descent.

The UN Working Group is a unique UN mechanism to monitor structural racism against African people, including Africans and People of African Descent across the globe, give strongest voice to and support civil society efforts to fight the highly structured and racialised forms of racism that African peoples are subjected to and to advise Governments on how to ensure non-discrimination and the full and equal enjoyment of human rights for African peoples around the world.

As defined by the Human Rights Council Resolution 9/14 from 2008, and belongs to the mandate of the UN Working Group:

a) to study the problems of racial discrimination faced by People of African Descent living in the Diaspora and, to that end, gather all relevant information from Governments, nongovernmental organisations, and other relevant sources, including through the continual holding of public meetings with them,

b) to propose measures to ensure full and effective access to the justice system by People of African Descent,

c) to submit recommendations on the design, implementation, and enforcement of effective measures to eliminate racial profiling of People of African Descent,

d) to make proposals on the elimination of racial discrimination against Africans and People of African Descent in all parts of the world,

e) to address all the issues concerning the well-being of Africans and People of African Descent contained in the Durban Declaration and Programme of Action for the emancipation the People of African Descent.

In light, of all this, the Africa Centre Ireland is very concerned that there are unfortunate forces willing to undermine the establishment of the UN Working Group. The Africa Centre is also in particular worried that so far in many other European countries and particularly in Ireland, there has been very little done to internationally recognise the UN Decade and work toward achieving its objectives.

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The serious neglect that the Decade so far has been met is symptomatic of an unwillingness to face up the reality and bring justice to the enduring legacies of colonialism and enslavement the all African continent had been subjected to.

Given all this, the Africa Centre strongly urge the Irish Government, the Human Rights Council, the High Commissioner for Human rights and the General Assembly of the United Nations to strongly state the UN fact and belief confidently and forcefully declare the Decade implementation as act of braveness, noble and indeed assert its support for:

a) the Working Group, and to further strengthen its mandate by making sure that its members are recruited among the foremost experts in the world of People of African Descent,

b) the International Decade for People of African Descent 2015-2024, including the development of a Declaration for the Rights of African Peoples and a Permanent International Forum for African Peoples,

c) an international UN conference on reparatory and restorative justice for enslavement, genocide and colonialism.

National Strategy Action Plan:

The Africa Solidarity Centre call on the State parties to create efforts to implement a policy that might be advised to also offer a National PAD or Africans monitoring system and an advisory committee based on the Roma strategic plan. This will also be comprised for its transparency, senior officials from Government Departments and Agencies and People of African Descent representative organisations.

This inclusion strategy must take, into account the PAD cultural identity, education, employment and the African economy, children and youth, health, gender equality, antidiscrimination, Afrophobia, and equality, accommodation, African and the PAD communities and public services.

In terms of social inclusion related issues, the government must develop a programme which aimed to tackle poverty and social exclusion through partnership and constructive engagement between Government and its agencies and People of African Descent in disadvantaged communities

People of African Origins and Racial Profiling:

The Africa Centre Ireland regret the reports highlighting that many non-Irish people and particularly People of African Descent are subjected to police arrests, stops, and are required to produce identifications, which practice has the potential to perpetuate racist incidents and the profiling of individuals on the basis of their race and colour.

We, therefore, seek from the Irish authorities to unconditionally adopt a legislation that

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prohibits and strongly condemn any form of racial profiling, practice which has the danger of promoting racial prejudice and stereotypes against certain racial groups in the State party and particularly, African and People of African Descent.

The Africa Centre Ireland, encourage the Irish Government to champion Human Rights and promote a positive humane treatment base on respect of human dignity of People of African Descent, migrants, people of Non-Irish origin by the Irish Police and other law enforcement personnel in accordance with international human rights law.

We recommend that the Irish State as other European Countries to support all PAD organisations with substantial funds in Ireland,
The Africa Solidarity Centre Ireland call also for the establishment of an appropriate reporting mechanisms which encourage African and People of African Descent (PAD) to confidentially report Afriphobia, all forms of discrimination, racist incidents and crimes which are not usually reported due to lack of trust with the police and other NGOs who have lost their credibility and trust.

The Africa Centre Ireland, strongly recommends the Irish Government to adequately fund the Garda Racial, Intercultural and Diversity Office (GRIDO) at the Garda Community Relations Bureau and develop appropriate programme of partnerships and relationship building with ethnic communities, and Diaspora led organisation.

African Women and Children:

The Africa Centre regret that in the childcare reporting project on page 19 on the Ethnic background, the findings specifically on African women children is worrying. There is an important observation which is consistent with complains within the Nigerian community that their children are taken into care in what they suspect to be a systemic and racially profiling system by TUSLA. This despite being raised many years after is still not addressed as same problems have continued to grow and becoming more alarming than ever. Though the report mentioned the heavy handiness of African parents as a probable cause of the statistics, it is still very concerning that high percentage of the children in foster care are of African Descent.

We believe and urge the Irish State that this is something that needs an urgent administration correction because these children go on to be difficult to manage both by the system and their parents. The African Centre finally call on the Irish Government to put a joint task force or a join panel including People of African Descent and Civil Society organisation to invest on dealing with this growing problem …

"ENDs"

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Submission to the *Action Plan Against Racism for Ireland* Anti-Racism Committee
Psychological Society of Ireland

1. INTRODUCTION

a. What do we mean when we say 'racism'?

Racism can be described in many ways. It is generally accepted that racism includes prejudice, discrimination, and hatred directed at a person because of their ethnicity or national origin. Racism need not be violent or deliberate. It can be seen in the actions of institutions as well as individuals. It can be unconscious as well as conscious. Aside from being conveyed through words and actions, racism can take the form of policies or practices that affect people's opportunities and dignity.

b. What do we mean when we say 'psychology'?

Psychology is both an academic or scientific field of study and a field of professional practice. Psychological research attempts to gather evidence that can be used to better understand how people think, behave, or feel. This can include how they interact with others, how their personalities differ, how their attitudes are formed, how they develop and use their talents and abilities, how they thrive or suffer, and how they mentally grow and change over time. Psychology researchers use scientific methods (including formal data collection and analysis) as well as many other techniques for exploring and analysing people's experiences of life. Psychology practitioners are trained to apply this knowledge in a variety of settings, including in mental health, education, and industry.

c. Racism and psychology

Racism takes the form of interactions (close or distant) between human beings, whether as individuals, groups, communities, or organisations. Racism is experienced by the people at whom it is directed. It is usually witnessed, and perhaps tolerated or enabled, by others. Some people actively promote racism and behave in ways that are knowingly racist. Much racism is structural, but such structures are themselves the products of people's attitudes and beliefs. **All these various aspects of racism involve important psychological dimensions**, including attitudes, perceptions, emotions, hostility, cultural norms, and social interaction.

Racism is an impactful social problem that causes widespread suffering and subjugation. Some of this damage is material and economic, but much of it is emotional, cultural, and social. Racism produces substantial distress and is a significant threat to people's mental health and well-being. A social climate that is tolerant of racism produces a prevailing tolerance of hostility, aggression, and callousness, which itself presents wider threats to people's well-being. **Racism exerts a wide range of direct and indirect impacts on psychological health**.

Efforts to tackle racism are themselves multi-faceted. Many anti-racism responses require the overhauling of structures that inherently engender racism in society (including bureaucratic, business, and political structures), as well as changes to legislation. Other responses focus on individual experiences and behaviours. For example, some responses seek to empower those who experience racism in ways that maximise their voices and their role in shaping society, as well as their influence on policies that affect them. Others focus on reducing the harmful impacts of racism by cultivating social support networks and building personal resilience. Further responses seek to eliminate or reduce racism by changing the attitudes of those people who promote or perpetuate racism, either individually or collectively. Such is the breadth of racism that responses will inevitably take many further forms, both formal and informal. **Responding to racism is intertwined with a range of psychological processes,** including attitude formation, attitude change, social interaction, social identity, communication, learning, education, motivation, and mental well-being.

In summary, the challenge of racism involves a wide range of psychological issues and processes, many of which have been studied formally in psychological research. For many issues, it is possible to articulate what amounts to an evidence-based understanding of the factors involved, or to make "good practice" recommendations based on such evidence. The remainder of this document seeks to provide an overview of some of key areas where relevant empirical evidence has been produced.

2. ON THE CAUSES OF RACISM

Racism is a manifestation of the human habit for interpersonal or intergroup conflict. Interpersonal conflict is itself a recurring problem that can arise in all human settings, and intergroup conflict is an historically ancient feature of the human experience. Often such conflict is 'caused' by situational factors, such as when people are made to strive for incompatible goals and to believe that their efforts can only succeed at the expense of another person or group's failure. In societies, organisations, or other groups, this can often involve the perception that competition is necessitated by limited access to resources or other benefits (such as money, time, or opportunities). The dynamics of conflict are therefore rooted in perception and belief, rather than in reality and so can easily emerge as the result of false information.

The specific case of racism – interpersonal or intergroup conflict that has a racial or ethnic dimension – may be related to the psychology of threat-perception. By nature, humans are primed to classify 'the unknown' as more threatening than 'the familiar'. Human psychology is also predisposed to perceive in-groups as different to out-groups: one's own in-group is usually favoured and seen as richly varied, whereas out-groups are usually disfavoured and seen as homogenous (or 'all the same'), a habit of thought known as 'out-group homogeneity bias'. These self-protecting biases of thought are the emotional basis for stereotyping and scapegoating and, by extension, for xenophobia.

However, all such psychological processes are dependent on how people *come to perceive* the various groups that exist in their society. In other words, hostility to the members of any social group is driven by an *arbitrary belief* that some groups are different to others. In some settings, culturally heterogeneous populations can see themselves as a single 'in-group', whereas in other settings, populations that appear culturally homogenous can nonetheless come to see themselves as being comprised of distinct and irreconcilable subgroups. Therefore, when considering the psychological 'causes' of racism, it is important to note that any interpersonal or intergroup tensions will arise only as a function of whatever person- or group-categorisations are perceived to exist in that society. As social belief systems are produced and passed down by tradition, they are particular to cultural circumstances.

When viewed historically, most of our current notions regarding race are relatively modern. In essence, race, as discussed in the modern world, is a social construction. The various categorisations employed in racial discourse – whether geographical (such as *Caucasian* or *African*) or related to skin-tone (such as *Black* or *White*) – have little or no consistent basis in human biology or genetics. The alleged differences between so-called 'races' are greatly oversimplified, reductionist, and misleading. They result from the interplay of sociological and political dynamics – in which groups are formed on the basis of economic events, historical trends, and the wielding of social influence and power – rather than from any inherent psychological or physical realities.

In sum, any discussion of psychological causes of racism will be limited by the fact that racism itself has many causes. Most are rooted in political, social, and economic factors. However, whatever its origins, it is certainly clear that racism can be propelled and shaped by psychological processes. As such, it is therefore more helpful to consider the psychological drivers of racism as *catalysts* rather than true 'causes'.

3. ON THE CATALYSTS OF RACISM

Catalysts of racism, as opposed to causes, are agents that can provoke, enable or strengthen racism at both individual and societal levels. Examples include misinformation, media stereotypes, bystander effects, as well as the use of coded or suggestive language ('dog whistles') to garner support from a particular group without provoking opposition.

a. **Misinformation** refers to any claims or depictions that are inaccurate. An increasing reliance in recent years on non-objective sources for information and news, for example via social media, is a major concern with "the viral spread of digital misinformation" now deemed so severe that the World Economic Forum considers it among the main threats to our society[1]'. Importantly, evidence indicates that much misinformation is spread by passive sharers rather than malicious actors [1].

b. **Echo chambers** are situations where one is exposed only to opinions which agree with their own and these are of increasing concern in many democratic countries. Research has shown, for instance, that Twitter users are largely exposed to political opinions that agree with their own. Algorithms on social media platforms play a role in creating racist echo chambers, as content is placed in the user's newsfeed based on content they previously engaged with [2]. Therefore, people who have engaged with racist content will get more racist content in their newsfeed. Social media companies have promised to address the algorithm issue but there is a clear conflict of interest given social media rely on providing consumers with content that they are most likely to engage with. Psychology also helps us to understand our tendency to seek out and take refuge in these echo chambers.

c. Psychological mechanisms such as **selective information processing** and **attention** mean we are all vulnerable to bias when processing information relevant to our existing attitudes. This bias affects what sources we expose ourselves to (selective exposure), how we perceive the information we do come across (selective perception), and which information we tend to focus on and commit to memory (selective retention). As humans, **confirmation bias** means we have a tendency to favour information which aligns with our pre-existing views while avoiding contradictory information and this explains why it is so challenging to correct misinformation once it has been heard, as these biases will tend to persist anyway.

d. Evidence shows that social media posts relating to **moral or emotional words** are particularly likely to be reshared and concerningly, antisocial behaviour, such as hate speech has been shown to exhibit 'social contagion' on social media with research showing that hateful content tended to spread faster, farther and reach a much wider audience compared to non-hateful content [3; 4]. This high rate of attention and acknowledgement received by critical and hateful posts can also serve to provide social validation providing quick rewards for negative behaviour and thus further reinforcing this behaviour.

e. **Media stereotypes** represent a further enabler of racism. Analyses in the US have illustrated how the media tends to legitimise overrepresented and idealised representations of White Americans while marginalising and minimising people of colour. Beyond the US, the promotion of racial biases has also been demonstrated for instance, with the overuse of white models and Asian models with white skin in advertisements in Japan and Korea [5]. Globally, the tendency of mass media to feature highly distorted depictions of cultural and ethnic minorities, or simply ignore them altogether, serves to help perpetuate racial stereotypes, with research showing negative long-term effects on both conscious and subconscious attitudes with negative racial attitudes connected with even the simple severe lack of representation alone. Unfortunately, the switch to Internet-based forms of entertainment and their emphasis on user-generated content,

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[1] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6147442/

while seen as a potential opportunity to challenge systematic prejudice, has also demonstrated a perseverance of racist portrayals, suggesting that this will not be the solution some had hoped [6].

Psychology offers two explanations for the connections between mass media and stereotypes. Firstly, media priming makes stereotypical attitudes and beliefs more accessible as a result of the media continually activating these. This is also assisted by our own selective exposure whereby we, as media consumers, will usually stick with the content that matches our attitudes. Secondly, as humans we have a basic desire to hold world views in line with the opinions of a perceived cultural in-group, meaning that if a certain image or stereotype is repeatedly presented by preferred news or entertainment providers, we will naturally want to integrate this into our own worldview. Both these explanations indicate that stereotypical depictions affect the collective mind and media may therefore have the power to all but determine how a minority is viewed and potentially disregarded by the society it is a part of.

f.   The **bystander effect**, or bystander apathy, refers to the phenomenon where our likelihood of helping a victim decreases when others are present. The greater the number of people present, the less likely we are to help someone in distress, and we are actually much more likely to take action when there are few or no other witnesses. This inaction may be due to:
- our tendency to subjectively divide personal responsibility by number of others present;
- a fear of being publicly judged should we take action;
- or a tendency to rely on the reactions of others in an ambiguous situation.

In relation to societal racism, this occurs when we:
- divide responsibility by taking refuge in the comfort of other societal bystanders;
- fear the ramifications of speaking out against racist institutions;
- observe others doing nothing about racism and therefore conclude there is no problem in need of solving;
- deny there is a problem or deny the magnitude of the problem in terms of the full weight of living in a society which is racist.

All of the above serve to passively reinforce racism in our society. The potential conclusion that there is actually no problem to be solved based on the inaction of others reinforces both passive and active racism and perpetuates the problem of racial inequalities in our society. Importantly, we know from the US for instance, that while White Americans who are passively racist are further advantaged by racism, Americans of colour who are passively racist continue to be disadvantaged by it.

4. ON THE CONSEQUENCES OF RACISM

A growing body of research is showing that the consequences of racism are both extensive and pervasive, highlighting that it is a global concern that manifests throughout society [7]. In addition to challenging operational definitions used in research and the social conceptualisations of race, race has been described as a "socially constructed variable often used as a proxy for biological predispositions" (p. 2) [8]. Identifying numerous mechanisms by which racism operates, this section is intended as an overview of cross-disciplinary international research that reports on the implications and consequences of racism on the person and wider society.

Considering the differing forms that racism can take, research also adopts a number of approaches and definitions. A recent review, for example, outlined institutional and structural racism, cultural racism, and interpersonal discrimination, and also discusses areas of research in need of significant investment. In navigating these forms of racism, the influence racism can have on child development and adverse childhood experiences, manifesting from inequalities in the provision of education, access to healthcare and medicine, through to increased risk and exposure to harassment and mistreatment are all discussed [9]. A more recent review has also confirmed a range of these findings and further outlined the negative influence racism has on parenting practices, socioemotional development, and mental health [10].

The consequences of racism are also evident in the workplace with recent research conducted by the Irish Human Rights and Equality Commission (IHREC) and the Economic and Social Research Institute (ESRI) [11] revealing that 20 per cent of ethnic minority workers reported discrimination in the workplace, almost three times the average rate of discrimination (7 per cent). High unemployment rates also exist among Black and Muslim communities (Census, 2016), though unemployment rates among Irish Travellers, at 80 per cent, were highest of all the groups measured [12] illustrating the importance of inclusive labour market policies for economic and societal benefit.

Other research, such as a recent meta-analysis [13], has identified implications of internalised racism; which is defined as the acceptance of stereotype, prejudice, and discrimination held towards one's own racial identity [14]. Similar to findings from past research, accepting, believing, and internalising racist perspectives is significantly associated with a range of both mental and physical outcomes [13].

The field of public health, in particular, have shown the importance of raising awareness of implicit or unconscious racial messages across health and outreach campaigns. One review, for example, makes reference to recommendations in healthy eating campaigns, and highlights that access to resources may be restricted in marginalised communities and campaigns suggesting "eating more fruits and vegetables to reduce the risk of obesity cannot be practiced effectively" (p.32) [15].

A 2019 Policy Statement from the American Academy of Pediatrics meanwhile, discussed how racism is one of the most significant social determinants contributing to health inequality. Citing research that outlines the impact of racism on birth disparities and mental health in children and adolescents, they offered points of clarity on ways to improve the health and wellbeing of individuals [16].

5. ON RESPONDING TO RACISM

a. Approaches
Approaches to anti-racism are diverse but can loosely be considered in terms of three categories: (i) interventions that promote **intergroup contact**; (ii) **training or educational interventions**; and (iii) **communication campaigns**. Each has their strengths and weaknesses. The research picture is mixed, but some broad principles can be highlighted.

i. **Intergroup contact** can be promoted or provided at social events and activities. Organised intergroup contact programmes often take place in settings such as schools, colleges, or workplaces. They can also be virtual. The principle is that intergroup contact should help reduce threat, encourage self-disclosure, promote empathy, and alter norms in ways that reduce stereotyping. Meta-analyses (i.e., statistical reviews of the combined research literature) suggest that formal intergroup contact can have lasting positive effects, especially in young adults; that quality (i.e., favourability) of contact is more important than duration or frequency; and that a balanced ratio of minority and majority persons in the contact situation is more beneficial than an imbalance [17].

ii. **Training/education interventions** often take the form of diversity or intercultural awareness training. Programmes vary but often aim to decrease prejudice and discrimination. Meta-analyses suggest that programmes can have a moderate effect in reducing prejudice [18], with better outcomes for programmes that focus on skills and behaviours compared to programmes that focus on emotions and beliefs [19]. Some research suggests that programmes can induce negative outcomes, such as backlash [20], and that they have limited long-term effects on practical social inequities (such as the racial composition of leadership roles) [21]. Organisational psychology research has developed a wealth of resources for promoting cultural change in institutional settings that could be deployed for anti-racism objectives; however, most relevant research to date has focused on case studies rather than on large-scale empirical datasets.

iii. **Communication campaigns** frequently employ social marketing techniques to disseminate anti-racist messaging to wide audiences. They can be used to achieve vicarious intergroup contact, or to transmit educational information that challenges stereotypes. Reviews of research suggest that communication campaigns can help to promote empathy and perspective-taking [22]. However, the overall research literature is very mixed and communication campaigns can elicit negative responses as well as positive ones, and thus can aggravate stereotyping and prejudice [23].

b. **What can go wrong?**
- Anti-racism initiatives directly challenge people to confront negative behaviours. This can be a deeply uncomfortable and threatening experience. As such, anti-racism initiatives present a risk that some people will react with aggressive resistance and an entrenchment of polarisation.
- Resistance can be active (taking the form of emotional or behavioural hostility) or passive (such as disengagement and boycotting). By nature, the latter is more likely to go undetected.
- Some studies show that, in formal anti-racism education/training interventions, out-group members who confront discrimination can be assessed more negatively than in-group members who engage in discrimination [24].
- Compulsory accountability frameworks can lead to a "box-ticking" approach that meets superficial objectives without producing a lasting positive impact. Further, a focus on meeting superficial anti-racism training objectives can distract from the needs of other marginalised and intersectional groups.

c. **What is considered effective across approaches?**
- There is strong evidence that formal opportunities for intergroup contact have beneficial effects, especially in young adults, and especially where there is a balanced ratio of minority and majority persons in the contact situation [17]
- Anti-racism initiatives tend to have stronger effects when they address specific negative beliefs rather than try to generate general positive attitudes [22; 23].
- Anti-racism initiatives tend to have stronger effects when they focus on specific racial groups rather than on promoting broader notions (such as *diversity* or *multiculturalism*) [22;23].
- Anti-racism initiatives can be more impactful when they tackle *both* racist attitudes *and* bystander effects; i.e., by targeting beliefs underlying expressions of racism *and* promoting the challenging of racism as a social norm [23].
- Organisational interventions have stronger effects when they are tailored to the setting, when they are planned around clear goals and measurable outcomes, and where there is organisational accountability [21].
- Interventions tend to have stronger effects when trainers/facilitators are seen as "insiders" by the targets of intervention, rather than when they are seen as "outsiders". People are ultimately more influenced by role models who they feel are similar to them [20].
- Framing anti-racism in terms of what is "fair" is preferable to framing it in terms of what is "good". Labelling racist behaviours (or the persons who express them) as "unfair" is less stigmatising than labelling them as "bad", and so is less likely to provoke resistance [24].
- Anti-racism initiatives work best when they are carefully planned, where they involve all stakeholders, and where they are well resourced [22].

END

Submission to the Anti-Racism Commitee's Public Consultation for the development of the National Action Plan Against Racism (NAPAR) in Ireland

Submission on behalf of AkiDwA

July 2021

For more information, please contact

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Reporting Organisation

AkiDwA has supported women and their families facing racism and sexism for twenty years, since its establishment in 2001. AkiDwA is an ethnic minority-led national network of migrant women living in Ireland and in this respect is unique domestically, and one of only a few such networks in Europe.

The organization was established by a group of African women to address issues of racism, isolation and Gender-Based Violence that the women were experiencing at the time. AkiDwA's vision is of a just society where there is equal opportunity and equal access to rights and entitlements in all aspects of society: social, cultural, economic, civic and political. The organisation advocates for migrant women's equal rights in Irish society, free of racial and gender-based stereotyping.

In partnership with others, AkiDwA uses a holistic and gender-specific approach to promote migrant women's integration and provides support for access to mainstream services and initiatives. The organisation employs three key strategies to achieve its objectives; networking, policy and research work and capacity building. AkiDwA develops migrant women's capacity for participation and representation in their communities and in decision making structures through training, consultation, focus groups and information provision.

Over the course of its twenty-year history, AkiDwA has gained trust and credibility amongst the migrant community in Ireland as a reputable organisation, which gives us the ability to mobilise large numbers of hard to reach and marginalised communities of migrants, thereby providing relevant and insightful evidence based submissions to government departments, as exemplified in our engagement with the Department of Justice and Equality on the 2019 Review of the Prohibition of Incitement to Hatred Act 1989, and the consultations we have been engaged with in the development of the Third National Strategy on Domestic, Sexual and Gender-Based Violence, to name but a few.

Introduction

AkiDwA welcomes this opportunity to contribute to the development of a new National Action Plan Against Racism and thanks the Anti-Racism Committee and the Government of Ireland for their review of the current regime to combat racism in Ireland.

AkiDwA represents migrant women - a group of society which is particularly vulnerable to the racist discrimination that is evident both in public and online. Migrant and minority women have to deal with the reality of discrimination that is not only based on their race, but

also their gender and background. They are disadvantaged in terms of access to resources, recognition, respect, and representation themselves, and see this racist discrimination replicated for families.

According to CSO 2016, there were 535,475 non-Irish nationals living in Ireland with 50.1% of them being women, a first-time female majority. Racism and its impact on the lives of migrants in Ireland is a matter of critical concern. Often, as the primary carers of their families, they struggle with the racism that affects them as individuals and their families as a whole. It is especially the case for mothers that they are confronted with racism in every sphere of life - public spaces, their children's schools, their neighbourhood. Women have also reported to AkiDwA on their experience of racism and discrimination while trying to access services and support and at public and social places which include verbal abuse in public transport, in addition to sexual harassment. Migrant women are largely excluded from national planning processes in Ireland and, while they are making huge efforts, their organizations and groups tend to be marginalized and grossly under-funded. To create a more equal and socially-inclusive Ireland, racism must be addressed both at the individual and institutional level and by engaging and including the experiences and voices of migrant women. Attempting to address racism only at the level of the individual, as is the most common response, fails to recognise the structural nature of this phenomenon.

AkiDwA recommended that the new National Action Plan on Racism should take into account the intersection of gender, migration and race and generally Intersectionality based on age, class, race, religion, oppression, disability, sexual orientation and multiple other factors. As noted by Durban Declaration Programme for Action in article 69: racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls, and can be among the factors leading to a deterioration in their living conditions, affecting their health mental and wellbeing. They face poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights.

1. Health

Migrant women face major challenges in accessing health services and support, this includes, access to information, language barriers and accessibility.

Unequal treatment in accessing public services has a direct bearing on the lived experiences and social status of any individual or groups. While most frontline and service providers aim to deliver services without prejudice, direct experiences of racism are a reality for many migrant women. This according to AkiDwA members can take many different forms, such as the manner and tone used by officials, prejudiced behaviour and sometimes being denied services. In 2017 AkiDwA undertook research on migrant women and healthcare. The research found that there are gendered barriers as well as barriers to migrant women when accessing healthcare services, and that migrant women as a group have specific needs within

the healthcare system which are currently not being met. This fact was reiterated by focus group findings held with migrant women as part of the research. As reported by irish Examiner in May 2021 Perinatal Mortality Rates (PMRs) are highest where the mother or expectant mother is listed as national African and living in Ireland where stillbirth rate is 6.3% compared to 3.7% for national Irish mothers.

Based on a survey carried out by AkiDwA in Sept 2020 on migrant women's health, trauma and mental health services were rated poorly by AkiDwA members. This was attributed to the lack of cultural understanding amongst health service providers and their lack of awareness of culturally sensitive issues. Many of the women feel there is lack of understanding of their cultural background and country of origin from the healthcare providers, resulting in misunderstandings, negative perceptions and stereotypes, which then in turn hinder delivery of proper support and services

Many migrant women struggle to access information about medical services in Ireland; as a result, many do not know where or how to receive medical treatment or access to Irish health system. For example, the Irish health system can be different from what majority of the migrant women would have been used to in their countries of origin and many are confused between the role of the general practitioner doctor and the hospital. This generally creates a lower uptake of services among migrant women, and they are more likely to treat themselves and their families with over the counter medicine. As a result, migrant women are not seeking or receiving adequate treatment when necessary.

There are further health issues facing refugee women and those in Direct Provision centres. As many as 80% of refugee women suffer from mental health issues as a result of fleeing from strife and the strenuous asylum process, the majority are struggling with trauma. These women need psycho-social support in order to cope and advance in life.

Training on cultural competence should be delivered to all front line and healthcare professionals in order to provide culturally appropriate services to migrant women. This includes developing strategies of dealing with culturally sensitive health related issues that are viewed to be stigmatizing, such as mental health. Extra cautions should be taken, in particular the approach and the way healthcare professionals and front-line services engage and deal with complex or gender specific issues that pertain to women from armed conflict struggling with trauma or FGM. They must deliver services with understanding of the impact of gender specific harm on women.

Recommendations

- To ensure front line and healthcare professionals are trained in gender and cultural sensitivity and are delivering culturally appropriate care
- To ensure availability of Translation and interpretation services especially in primary healthcare settings, and concurrently adopt a proactive approach to inform migrant and minority populations of healthcare services available and how to access them.
- To ensure accessibility to specialised support for victims of torture and who have experienced trauma from conflict and other gender specific harm. Services are

currently limited and there is a disproportionate need among asylum seekers which is not being met.
- To establish primary health care champions from the migrant community. This would be a programme similar to the traveller's primary health programme

2. Domestic, Sexual and Gender-Based Violence

A. Domestic violence

Many migrant women continue to suffer in their homes or residences. Some of the migrant women subjected to domestic violence fear to report domestic abuse they suffer for fear of losing their legal status, especially women whose status is dependent on that of their spouse, according to the Women Aid 2019 report 92 % (757) of calls made to their helpline were from migrant women. The Habitual Residence Condition (HRC) is a qualifying condition for social welfare payments which was introduced in 2004. Women who leave their partner because of violence, and who do not satisfy the Habitual Residence Condition, may find themselves and their children destitute. Even if they check in a refuge, given that the service is a temporary measure and that they are not entitled to any payment whilst in these accommodation services, chances of these women and or with their children remaining in the centres are quite slim. In most cases victims find their way back home with the perpetrator. While Ireland has a policy, which allows for women in abusive relationships to apply for legal residence status independent of their abuser, the guidelines are at Ministerial discretion and are not on statutory footing.

Recommendations:
- Carry out an urgent review of all governmental policies and laws, including those on violence against women, citizenship, nationality, immigration and asylum, for the discriminatory impact on marginalised women affecting their enjoyment of gender and racial equality(this include the habitual residence condition introduced in 2004..
- Since Ireland ratified the Istanbul convention in March 2019, government to fully incorporating the articles (59-62) of the convention that guarantee that migrant and refugee women will indeed be protected from all forms of violence and have our victims' rights properly recognized, regardless of our immigration
- Ireland to opt-in to the EU Directive on Family Reunification and introduce legislation which provides for autonomous residence permits. In addition to this the protection of undocumented women from domestic violence should also be regarded as a priority in immigration reform.

- Advocate and encourage frontline services and other service providers to take up training on cultural competence (already developed by AkiDwA) so as to empower professionals and frontline staff working with migrants, refugee and Asylum-Seeking women, understanding cultural differences, their experiences of fleeing violence and respecting their rights under the EU Victims Directive"

B. Female Genital Mutilation (FGM)

In 2019 AkiDwA estimated the prevalence of women who have undergone FGM living in Ireland to be 5,795.[1] According to EIGE[2], almost 6,000 girls born in Ireland or originating from FGM-affected countries under the age of 15 and living in Ireland are at risk of female genital mutilation. Since 2012 Ireland has passed the Criminal Law (Female Genital Mutilation) Act 2012. It is now a criminal offence to perform or procure FGM on a girl. Further, the Act applies extraterritoriality to the offences so it is an offence to remove a girl from the State for the purpose of performing or procuring FGM. While AkiDwA welcomes this progress, and Ireland witnessed the first FGM prosecution under this law in January 2020, there is much more to be done beyond criminal response, in order to support the 5,795 women living with FGM and the girls who are still at risk of suffering the same. Ireland still do not have an implementation-focused plan to address FGM or coordination issues.

Efforts to support women and girls and to prevent further FGM are currently led by civil society, namely the National Steering Committee on Female Genital Mutilation. This includes a mix of healthcare providers and advocacy, development and community organisations. Together the national steering committee developed a detailed plan to prevent the practice of FGM in Ireland, to provide high quality, specialised healthcare and support form women and girls who have undergone FGM and to contribute to the worldwide campaign to end FGM.

Recommendation

- The adoption of a National Action Plan on FGM to coordinate a response to this human rights abuse is needed. Implementation should be led by an interdepartmental working group to coordinate national efforts, in partnership with civil society, survivors and affected communities

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[1] AkiDwA (2019) *Female Genital Mutilation and the Law in Ireland.* Prevalence estimated by synthesizing Central Statistics Office data from 2016 with UNICEF and WHO global prevalence figures from 2016.

[2] EIGE (2105) Estimation of girls at risk of female genital mutilation in the European Union

C. Trafficking

Trafficking of women for sexual exploitation/ prostitution remains a huge issue globally in Ireland and according to Ruhama report in provision of support in 2018 out of the 251 women supported by the organisation 201 were migrant women of which 124 were from the African continent, access to support and services, language barrier, fear of alienation, lack of cultural competency, cultural and religious traditions remain huge challenges in support of such women

Lack of recognition on gender specific harm- sexual violence, rape: intersection of discrimination on grounds of race and gender makes women and girls particularly vulnerable- this has been recognised by DDPA on women from armed conflict

Recommendations

- Support for women victims of trafficking
- Provide migrant women and women who have no legal immigration status with full and equal access to all the resources and preventative measures against violence available to other women in the community, as well as access to appropriate interpretation and support facilities

3. Employment - Labour Market Access

AkiDwA 2017 research on migrant women and access to employment shows that while migrant women have higher levels of education than the general Irish population, they are generally living at the margin of society, struggling with unemployment, and those who find work are mainly working in precarious jobs and sectors such as home healthcare. In research by AkiDwA, 57% of respondents found that their jobs didn't match their skills. Similarly, both Black non-Irish and Black Irish employees are much less likely than their White Irish counterparts to hold managerial/professional positions. Black non-Irish are five times as likely to face discrimination seeking work as their White Irish counterparts.[3]

In Ireland, the proportion of men of African descent who have completed tertiary education is higher than the general population – 46% of those surveyed vs 34% of the average. However, Ireland has one of the lowest paid work rates of people of African descent of working age – only 48% in employment. Further, men have better employment rates than women. Women tend to experience discrimination when looking for work more often than men[4].

Migrant women have been hindered from accessing employment because of racism. In 2018, 48% of complaints taken to the Workplace Relations Commission under the Equality Acts were because of racial discrimination. Non-Irish nationals are three times more likely to experience discrimination while looking for work, while Black people are seven times more likely to experience such discrimination. Further, people of African descent still face the

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[3] McGinnity et al (2018) Ethnicity and Nationality in the Irish Labour Market, IHREC/ESRI
[4] Second European Union Minorities and Discrimination Survey: Being Black in the EU (2018)
https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-being-black-in-the-eu_en.pdf

highest levels of workplace discrimination including harassment and unfair treatment. Black Irish and Black non-Irish both face up to 3.4 times more discrimination in the workplace compared to White Irish[5]. Young migrant women of AkiDwA also have expressed concern and struggle with isolation, lack of opportunities and daily discrimination which they face. The majority continues to suffer with their identity, they find it extremely challenging to access employment. The report 'Who Experiences Discrimination in Ireland?' found that women face much more discrimination in the workplace than men[6]. This leaves migrant and minority ethnic women especially vulnerable to discrimination at their place of work[7].

In our work, we find that the barriers which women of African descent face include lack of recognition of their qualifications from abroad, lack of work experience in Ireland, lack of childcare, and multiple discriminations based on race, gender and religion.

Recommendations:

- To develop measures to reduce barriers to the labour market which are more acutely felt by migrant and ethnic minority women including measures for residents living in Direct Provision to:
  - Avoid rural isolation in future accommodation locations.
  - Improve transport links for residents.
  - Allow applicants to hold a driver's licence.
  - Address banking institution refusal to serve applicants for international protection.
  - Educate employers and the public on work permits.
  - Improve availability of childcare to parents in Direct Provision
- To ensure the recognition of foreign qualifications, allowing women to use the skills they have already developed
- To establish support mechanism to help in job search and access for migrant women and to expand the eligibility for work permits to allow more applicants for international protection the right to work
- To develop positive equality measures to address structural inequalities, including for migrant women
  - A proactive policy should be adopted to increase the awareness of the Employment Equality and Equal Status Acts. The equality legislation should provide for class action as well as individual redress for discrimination while trying to access employment.
- Reform of childcare supports for women who are entering the workplace.

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[5] McGinnity et al (2018) Ethnicity and Nationality in the Irish Labour Market, IHREC/ESRI

[6] McGinnity et al (2017) Who Experiences Discrimination in Ireland? Evidence from the QNHS Equality Modules, IHREC/ESRI

[7] McGinnity et al (2018) Ethnicity and Nationality in the Irish Labour Market, IHREC/ESRI

4. All forms of media and communications, including new technologies

Since its foundation, AkiDwA's work has focused on racism and discrimination, and cyber abuse has been reported to be of major concern. With the evolution of modern technology and the easy access to social media, many migrant women find themselves struggling with online sexual and racial abuse.

AkiDwA has delivered training in collaboration with Google, and conducted baseline research on migrant's experience with online abuse in Ireland. Our recent seminar with Google provided a reflective space for in-depth discussion with the aim to explore the impact of online abuse on migrant women. A major concern for the organisation remains on under reporting and lack of support for the victims. Reparation and access to justice for victims are important.

Recommendations
- Ireland should develop a comprehensive framework and strategies to address online hate speech, with complementary criminal and non-legal approaches.
- Provide support to victims of racist abuse through counselling or a telephone reporting and information service.
- Schools need education on online safety on the curriculum, which would specifically include lessons on cyber bullying and hate speech.
- Promote public awareness campaign to educate the public on the privilege and the limits of free speech and the consequences of hate speech.
- Expand the list of protected categories under the Incitement to Hatred Act 1989 in line with the Equality Status Acts to include gender, gender identity and disability.
- Systematically collect all reports of racist and hate speech and abuse and analyse data to improve response.
- Media professionals should adhere to journalistic ethical code of practice. Newspapers should not publish material or reports likely to cause or stir up hatred against an individual or group.
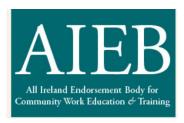
5. Education, Accomodation, Inclusion and Participation

Migrant women are further limited in their enjoyment of equal access to education and housing, civic engagement and participation in decision making. Traditional gender roles, gender-based stereotypes and discriminatory attitudes and norms are additional contributing factors

Recommendations

- Apply positive measures to reduce structural gaps-such as quota, reserved seats. Strengthening capabilities of women, ethnic minority and marginalised groups through training and support. Education is a major segment for gender socialisation, equality and diversity should be key components of the education process.

- Ensure the integration of a gender perspective into all programmes and policies aimed at combating racism, racial discrimination, xenophobia and related intolerance
- Ensure the collection of proper data. Collect, compile and disseminate data according to race and sex. Information must be gathered on the intersection of race and gender, focusing on issues that specifically affect women of racially disadvantaged groups
- Ensure the development of policies and programmes, including representation and participation of migrant women in all public spheres, positive actions such as quotas can be taken, to increase participation of migrant women in decision-making. promote the advancement of migrant women and adopt measures that enable all women to play an active role in the society.

National Action Plan on Racism for Ireland, All Ireland Endorsement Body for Community Work Education and Training (AIEB) Submission July 2021

The All Ireland Endorsement Body for Community Work Education and Training (AIEB) welcomes the development of the new National Action Plan against Racism (NAPAR). We welcome the opportunity to make this submission and also the opportunity to participate in the consultation workshops.

Background

The AIEB was established in 2010 as an all-Ireland body for supporting and promoting community development and ensuring quality and standards in practice through the; development and maintenance of standards relevant for practitioners, for programmes and policymakers when considering community work dimensions; the development and delivery of endorsement frameworks, procedures and processes for community work education; and the development of standards and support for education and training at all levels.

Context

A core value of community work is the promotion of equality, human rights and anti-discrimination and working towards a society where these rights are realized by community workers engaging with human rights mechanisms and processes for the protection and promotion of human rights for all. The All Ireland Standards for Community Work provide the framework for community development in Ireland North and South. These Standards developed by the AIEB identify the key values and associated knowledge, skills and qualities required for the practice of effective community development work. It is in this context that the AIEB makes this submission.

The AIEB supports and endorses the understanding of racism in the Interim Report, its systemic nature, the reality that it is embedded in structures, reflected in institutions, and experienced by individuals. The focus of the plan must be on the struggle for the structural and systemic change that is required rather than the expectation that those who experience racism. The AIEB submit the following points must be considered in the development of the National Action Plan:

- NAPAR must include clear associated strategic actions with timelines for their implementation, ringfenced resources and a robust monitoring mechanism to oversee the rollout, implementation, and review of the plan, inclusive of the voice of those who experience racism.
- The **specificities of the racism and discrimination experienced by the Traveller and Roma communities** should be identified within NAPAR, acknowledging the impact that this has on both communities who fare poorly across all key social indicators.
- T**he intersection of racism with other forms of discrimination** must be clearly framed within NAPAR with associated actions to tackle intersecting inequalities.
- NAPAR must consider and articulate the **dual role of community groups and civil society as duty bearers and rights holders**. Rights holders have inalienable human rights and must be empowered through targeted measures to know and claim their rights. On the other hand, actions must be taken to build the capacity of people and systems to create the conditions to uphold these rights.
- That there is a clear need for **the development and implementation of a comprehensive disaggregated data collection systems with an ethnic identifier** (inclusive of Travellers) and set within a human rights framework across all public bodies. Disaggregated data provides the basis for a clear mechanism to support the monitoring process and the identification of gaps in policy and areas for further attention.
- The need to **provide training** for all public sector personnel inclusive of a **focus on unconscious bias and racism, as well as direct discrimination, and the promotion of diversity and interculturalism** as part of the implementation of the public sector duty. This training should build on the existing equality policies and associated procedures that all public sector institutions already have in place.
- That the key role **that Community Work as a discipline plays in creating the conditions for the real empowerment of minority ethnic groups,** through empowerment, capacity building, enabling those impacted by racism to participate in collective action to challenge the inequalities they experience in a culturally competent manner be acknowledged.
- The plan should Include **a commitment to the extension of independent, autonomous community development work projects** in the most marginalised communities to ensure that they have the necessary infrastructure to support the development of strong, cohesive, anti-racist, and inclusive communities.
- NAPAR should outline the **centrality of ongoing mandatory antiracism education for the social professions** at entry and CPD levels, including special measures to secure the representations of the Minority Ethnic Groups throughout them.
- That the need for **targeted initiatives to support members of minority ethnic groups** to engage with third level and specifically **to engage with community work education and training** leading to professional qualifications at Level 8 and 9 on the NQF.

A.S.T.I Submission

To

National Action Plan against Racism

July, 2021

ASTI Submission to National Action Plan against Racism

Summary and Recommendations

Schools perform a **unique role** in the socialisation of young people. They constitute a safe space for learning to live with, respect and interrogate diversity. The current Intercultural Education Strategy ended in 2015: a new strategy needs to be developed in order to provide guidance to schools in the context of new societal understandings of racism and specific actions in the second National Action Plan.

The **international norms and definitions** established in the UN Convention on the Elimination of Racial Discrimination (CERD) must frame and infuse the National Plan: they should not be compromised by privileging of one form of racism over another.

The dominant **ethos of inclusion** across the school sector, underpinned by legislation, societal norms and schools' mission and vision is a real strength in our society. Schools need more human resources in order to create truly inclusive learning communities. and must be acknowledged and supported by the National Action Plan.

Teacher professionalism is the key to quality education. Teachers are agents of change for young people: when they teach, they motivate, support, assist and socialise young people. Career-long learning or CPD is critical to maintain the highest standards of professionalism. The dominant CPD transmission model is not fit for purpose: teachers need professional time to engage in formal and informal learning during their working year. Actions in the National Action Plan must require that the Department of Education and Skills provide a dedicated training programme.

School leadership is determinative on all aspects of school life, in particular the school's ethos and culture. The personal commitment of school leaders and other members of the school management teams to an ethos of diversity is critical in realising an inclusive school culture. A defining feature of school leadership in recent years is role expansion and intensification in response to rapidly changing societal and educational demands. Schools need more leadership posts and post-holders need time to conduct their post duties.

The **Inter-cultural Education Strategy 2010 -2015** had many strong features, not least its emphasis on the role of school leadership, teacher professional development and the need for ongoing research. Regrettably, this Strategy never received the system-supports such as strengthened school leadership, teacher training, dedicated resources for English as an Additional Language (EAL) or system-wide research. The second national Action Plan should require a new Strategy and allocation of schools and the teaching profession.

Measures to address racism in the school context are comprehend in the **2013 National Anti-Bullying Procedures**. While they provide a clear framework for responding to allegations or incidents of bullying (racism is defined as identity-based bullying), concerns are growing around the capacity of schools to engage in the recommended prevention and intervention approaches. The latter are central to the concept of the inclusive school and the creation of a

positive school environment which foregrounds respect, dignity and safety for all students. School leadership and teacher training are the key requirements.

Anti-Traveller prejudice is insufficiently acknowledged in school communities and, as such, remains un-addressed. School leadership and teacher training are absolutely critical to ensuring that all students, in particular those from ethnic minorities, feel safe, respected and valued in school. The Traveller and Roma Inclusion Strategy must be implemented in full in order to address the systemic prejudice, discrimination and exclusion which these communities face.

Having **good equality data** is important to address racism and to monitor the differential educational and post-school outcomes for migrant students. The fact that the State Examinations Commission does not provide disaggregated data is problematic as so much education policy is informed by data relating to examination outcomes.

Diversity in society must be reflected by **diversity in the teaching profession.** Barriers to entry to the profession include costs of teacher training, lack of knowledge re third level education/cultural capital, and high standards for entry to the training courses. The Department of Education must continue to support interventions to remove these barriers for school-leavers.

Introduction

The ASTI welcomes the opportunity to contribute to the public consultation process on the second National Action Plan against Racism. This consultation constitutes a vitally important moment for our polity and society. Globally, we are witnessing dangerous trends of exclusionary nationalism, racism, xenophobia, misogyny, reductions in protections for minorities and a disregard for international human rights norms and protections. No country is immune to these trends. We cannot be complacent in Ireland that our historical experience of colonialism renders us less susceptible. Ireland in recent decades has been a leader in progressive social change aimed at realising the values of equality, respect, diversity, dignity for all. Internationally, Ireland is highly respected for our development aid policy which is focused on human dignity and leaving no one behind. Ireland's recent election of the UN Security Council is a testament to this international esteem.

Racism in Ireland

The ASTI highly commends the clarity with which the Consultation Paper defines racism, its systemic nature and intersectionality with other inequalities and oppressive practices. The international norms established in the UN Convention on the Elimination of Racial Discrimination (CERD) must frame and infuse the National Plan: they should not be compromised by any privileging of one form of racism over another. The Guiding Principles in the Interim Report to the Minister for Children, Equality, Disability, Integration and Youth are premised on these international norms and are indicative of the commitment of the Irish government to confront racism in our diverse and democratic state.

The transformative role of education

As a teacher trade union, ASTI is deeply aware of the transformative role of education in shaping the values and social practices in our society. It strongly believes that education and young people must be central to the National Action Plan. The positive experience of Irish schools in integrating migrant students, in particular since the 2004 EU enlargement, has been well documented.[1] The dominant ethos of inclusion across the school sector, underpinned by legislation, societal norms and schools' mission and vision is a real strength in our society and must be acknowledged and supported by the National Action Plan. At the same time, there are strong and legitimate critiques around this process which must be addressed. Societal understanding of racism is constantly evolving. In particular, young people from diasporic migrant families are articulating their experience of school and growing up in Ireland. This voice is hugely important in informing policy and the political actors. In this submission, the ASTI will focus on those areas which it considers are most central to ensuring that our schools are enable to become the inclusive communities they aspire to be.

Teacher professionalism

Education is, at its core, based on relationships. Learning is primarily a social practice as has been dramatically demonstrated by the shift to remote teaching over the last twelve months. Teachers are agents of change for young people: when they teach, they motivate, support, assist and socialise young people. Teacher professionalism in Ireland is internationally acknowledged and is the driving force for the quality education that is our hallmark. At the same time, the state does not provide sufficient supports to the profession to support their continuously evolving role. Teachers have heavy workloads and work in institutions which are acknowledged as experiencing 'innovation overload'. [2] Supports such as access to CPD, professional time for non-teaching work, career progression and mobility are significantly under-developed in comparison to other EU and OECD systems.

Career-long learning or CPD is particularly significant in the context of the National Action Plan against Racism. Teaching culturally diverse classrooms requires deep understanding of cultural diversity. Understanding relates to teachers' beliefs and values which form the foundation of their relationships with students. As part of any teacher professional development, teachers need time to engage in explicit reflection on their beliefs and values in dialogue with their peers. This is, moreover, an iterative process as teachers gains experience and pedagogical skills. Unfortunately, the dominant model of teacher professional development in Ireland is the 'transmission model' wherein information is provided to teachers on new curriculum. Increasingly, the Department of Education is providing this model outside of teachers' working time. This model is no longer fit for purpose: teachers need time in their working year to engage in formal and informal learning to address the complex and inter-related issues shaping their students' lives and development – wellbeing, online lives, existential angst in relation to climate change, relationships and sexuality, diverse learning needs including disabilities and special educational needs, ethnic status, community environments and educational disadvantage, misogyny *and* racism. While this is not an issue which the National Action can directly address, it is

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[1] The role of principals in creating inclusive school environments: insights from community national schools in Ireland: School Leadership & Management: Vol 38, No 4 (tandfonline.com) (this 2018 paper provides a comprehensive résumé of Irish research to that date)

[2] http://www.asti.ie/document-library/teachers-work-work-demands-and-work-intensity-march-2018/

important that the ASTI identifies in this submission the barriers to teacher professionalism and transformative practices in the classroom.

School leadership

School leadership is determinative on all aspects of school life, in particular the school's ethos and culture. The personal commitment of school leaders and other members of the school management teams to an ethos of diversity is critical in realising an inclusive school culture. A defining feature of school leadership in recent years is role expansion and intensification in response to rapidly changing societal and educational demands. At the same time, school leadership is significantly under-resourced in second-level schools. The ASTI has reiterated its concern that not only is there insufficient numbers of middle leadership posts (Assistant Principals), in voluntary secondary schools the latter do not have reduced teaching timetables to enable them to engage in their post duties. This is an untenable situation and is undermining the capacity of schools to meet needs and achieve goals.

Curriculum matters

The curriculum defines what and how students learn. It is by its nature multi-layered and depends on high levels of teacher professionalism to meet all its learning goals. Curriculum change has been a constant feature of second-level education for over a decade. The implementation of the Framework for Junior Cycle in 2015 was a fraught process for many reasons. The key lesson from this experience is that curriculum change must simultaneously be accompanied by comprehensive implementation supports and strategy. The need for curriculum to be responsive to cultural diversity has been underlined by the introduction of the Traveller History and Culture in Education Bill, 2018. The Inter-cultural Education Strategy 2010 -2015 had many strong features, not least its emphasis on the role of school leadership, teacher professional development and the need for ongoing research. Regrettably, this Strategy is rarely referenced in the school context: not because its actions and recommendations are not relevant but, rather, it never received the system-supports such as strengthened school leadership, teacher training, dedicated resources for English as an Additional Language (EAL) or system-wide research. The second national Action Plan should contain actions to ensure that schools receive the necessary supports to implement a revised Inter-cultural Education Strategy.

Anti-racism policy in schools

The Equal Status Acts 2000 – 2018 provide protections for individuals from certain kinds of discrimination, harassment and sexual harassment that can happen in education situations in Ireland. The 2018 Admissions to Schools Act proscribes discrimination in terms of admission to a school. The 2013 National Anti-Bullying Procedures are explicit in terms of racist bullying. Bullying is defined as unwanted negative behaviour, verbal, psychological or physical, conducted by an individual or group against another person (or persons) and which is repeated over time. These procedures make clear that this definition includes cyber-bullying and identity-based bullying such as homophobic bullying and racist bullying. Research by the DCU Anti-Bullying Centre confirms that while the 2013 Procedures provide a clear framework for responding to allegations or incidents of bullying, concerns exist around the capacity of schools to engage in the prevention and intervention approaches recommended in the

Procedures. The latter are central to the concept of the inclusive school and the creation of a positive school environment which foregrounds respect, dignity and safety for all students. The ASTI can absolutely confirm this research finding. Austerity measures in the last decade has resulted in second-level schools losing middle-management posts. The latter are key to ensuring that whole-school policies such as that specified in the 2013 Procedures are delivered, monitored and regularly reviewed.[3]

In its submission to the Departmental consultation on the 2013 Anti-Bullying Action Plan, the ASTI underlined the need to support the Procedures with a national programme of inservice for teachers. This did not happen. The need for such a programme has not diminished with time. If anything, the changed societal landscape - in particular the growing emphasis on mental health and wellbeing, living safely and ethically in the online space, the need to have specific measures to protect the dignity of minorities and of LBGT+ students - is infinitely more complex and challenging than that which prevailed as recently as 2013. Huge advances have also taken place in relation to research on anti-bullying intervention measures, while at system level, schools must implement a Wellbeing Policy Statement and Framework for Practice. The latter identifies bullying, aggression and violence as key risk factors for students' wellbeing. The Framework is a complex and multi-faceted approach to student wellbeing. It is predicated on complex organisational practices such as 'collaborative problem-solving approaches', 'school-based screening and intervention tools to assess social, emotional and behavioural difficulties', 'policies and plans setting out how inclusive practice will be implemented in a way that fosters school connectedness, acceptance and celebration of diversity'. This Framework was not accompanied by a national training programme either. No additional resources in the form of additional middle-management posts or Guidance Counselling posts were provided to ensure the effective implementation of this Framework in each school. Schools cannot meet these holistic policy goals in the absence of significant investment in human resources in our schools.

Traveller and Roma Inclusion Strategy

The National Traveller and Roma Inclusion Strategy 2017- 2021 is an ambitious strategy which recognises the severe marginalisation, disadvantage and discrimination faced by both ethnic minorities. The educational statistics are stark: 13% of Traveller children complete second-level education compared to 92% in the settled community. Of those Travellers who drop out of second level education, 55% have left by the age of 15. The number of Traveller children who progress to third level education represents just 1% of the Traveller community. Moreover, it noted a reluctance to continue in mainstream education as Travellers feel that it is not associated with any positive outcomes because of the high level of discrimination faced by Travellers when seeking employment.

The Strategy states that a key reason for such low levels of educational progression are the negative experiences of Traveller children in school. Anti-Traveller prejudice is insufficiently acknowledged in school communities and, as such, remains un-addressed. School leadership and teacher training are absolutely critical to ensuring that all students, in particular those from ethnic minorities, feel safe, respected and valued in school. The recent Ombudsman for Children's report on the living conditions

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[3] https://www.asti.ie/document-library/school-bullying-and-the-impact-on-mental-health/

for children in a local authority halting site graphically underlines how the former impact on Traveller children's education. [4]

Good quality data

Having good equality data is important to address racism and to monitor the differential educational and post-school outcomes for migrant students. It is of note that the Interim Report is adamant that ethnic equality monitoring is a key tool in uncovering the prevalence of racial discrimination and its impact on lives. It is ironic that information on the achievement of 15-year-olds from ethnic minorities is provided by the OECD PISA biennial studies rather than from the State Examinations Commission. The latter does not provide disaggregated data and, in the opinion of the ASTI, this is problematic as so much education policy is informed by data relating to examination outcomes.[5] The Department of Education's Statement of Strategy 2021 – 2023 underlines the need for policy to be underpinned by evidence, research and evaluation. [6]

Diversity in the teaching profession

There is unanimity in the research on the need for the teaching profession to reflect the cultural diversity of society.[7] This is a particularly important area of education policy and it is a matter of concern that the 2020 Teacher Supply Action Plan does not reference this need. In Ireland, 99% student teachers identify as 'white Irish', as compared to 85% of the population. In 2014, only one person from the 2,437 students who applied for primary teacher training identified as being from the Traveller community.[8] Entry to the teaching profession is largely predicated by social class. Apart from the high costs of initial teacher education for individuals (the 2-year PME ranges from €11,000 to €16,000), barriers which migrant school-leavers face include lack of familial experience of third-level education, knowledge of the Irish education system – both forms of cultural capital - and the high academic standards required to access initial teacher education.

The research is unequivocal on the benefits of having a diverse teaching profession. In particular, it highlights that teacher from diverse backgrounds set high expectations for students from marginalised groups, and act as mentors and advocates for them, often with transformative results. Moreover, it has also been shown that the advantages of a more diverse teaching profession extend beyond the experience of students from minority groups, bringing crucial benefits to the entire student cohort. This is because internalised and unconscious beliefs about inferiority and difference are overcome when children see people from disadvantaged groups as professionals and authority figures. In 2017 the Department of Education in partnership with the Higher Education Authority, funded six centres of teaching excellence across Ireland, under the Programme for Access to High Education (Path) scheme, to widen access to initial teacher education for underrepresented groups. The Department must continue with interventions of this nature to ensure diversity in the profession.

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[4] https://www.oco.ie/news/ombudsman-for-childrens-office-launches-no-end-in-site-an-investigation-into-the-living-conditions-of-children-on-a-local-authority-halting-site/

[5] https://www.oecd.org/pisa/

[6] https://www.gov.ie/en/publication/56137-department-of-education-statement-of-strategy-2021-2023/

[7] http://publications.europa.eu/resource/cellar/ee14cd84-ffa7-11e5-b713-01aa75ed71a1.0003.01/DOC_1

[8] https://www.irishtimes.com/news/education/lessons-in-diversity-the-changing-face-of-teaching-in-ireland-1.4120546

Conclusion

Addressing and preventing bullying, including identity-based bullying or racism, is a priority for school leaders and teachers. At the same time, policy makers must acknowledge the barriers to schools' capacities to achieve the complex mission of inclusion and wellbeing. In this submission, ASTI has highlighted these barriers. It is simply not sustainable to attribute more and more responsibilities to schools and *not* provide the necessary resources to sustain their capacity to discharge same. 'Innovation overload' is an acknowledged problem in our education system. Lack of investment is leading to heavy workload, high levels of occupational stress and is damaging morale. This entrenched negative cycle must be halted. Schools will no doubt feature prominently in the second National Action Plan against Racism. They perform a unique role in the socialisation of young people and constitute a safe space for learning to live with, respect and value diversity. It is time to support them in this vital work.

Racial Discrimination in Schools, Prejudice-Motivated Crime, and Freedom of Expression

**Submission from Atheist Ireland
to Department of Equality
Independent Anti-Racism Committee**

July 2021

Contents of this Submission

This is the submission made by Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland to the Committee on the Elimination of Racial Discrimination (CERD) in November 2019.

Part 3 — Prejudice-Motivated Crime & Freedom of Expression

This is the submission made by Atheist Ireland to the Department of Justice Consultation on Hate Crime and Hate Speech in December 2019.

Part 1 — Overview

1.1 Introduction to Atheist Ireland

Atheist Ireland is an Irish advocacy group. We promote atheism and reason over superstition and supernaturalism, and we promote an ethical, secular society where the State does not support or finance or give special treatment to any religion.

Since being formed in late 2008, we have campaigned for a secular Irish Constitution, parliament, laws, government, and education and healthcare systems. We are part of the dialogue process between the Government and religious and nonreligious philosophical bodies.

We base our policies on human rights standards. We have made submissions to and attended meetings of the United Nations Human Rights Committees and Council, the OSCE, the Council of Europe, and various Government Departments and consultation processes.

As atheists, we empathise with members of other groups who face prejudice and discrimination in Ireland, because we have first-hand experience of it. We also recognise that members of other groups face more frightening hostility in Ireland, including overt harassment, intimidation and violence. We should all stand together to challenge prejudice and hostility against any and all of us, and to protect the values of Western liberal democracy that enable us to do so.

Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland work together in a campaign for secularism and human rights. Despite our different world views, we agree that each person should be treated with respect, our right to hold our beliefs should be treated with respect, and States should treat us all equally before the law by remaining neutral between religious and nonreligious philosophical convictions.

As part of our joint work with the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland, we promote the fundamental human rights of freedom of conscience, religion and belief, equality before the law, and freedom from discrimination for all citizens. We promote these human rights within Irish society and political institutions, and at the United Nations and other international human rights regulatory bodies.

1.2 Introduction to this submission

We recognise the intersectionality between prejudice based on race and prejudice based on religion or atheism. Nobody should be discriminated against based on their race, or based on their religious or nonreligious beliefs. We address this in part 2 of of this submission, which deals with racial discrimination in schools.

However, religious and nonreligious beliefs are different from race, colour, descent, or national or ethnic origin, which are the characteristics used to define racial discrimination in Article 1 of the CERD. Unlike these immutable characteristics, religious and nonreligious beliefs are changeable, and they must remain open to criticism without that criticism being inaccurately labelled as racist. This is particularly important where those beliefs are themselves the source of discrimination and human rights abuses of other people. We address this in part 3 of this submission.

This submission contains the text of two submissions that Atheist Ireland has already made:

- A submission made by Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland to the Committee on the Elimination of Racial Discrimination (CERD) in November 2019.

- A submission made by Atheist Ireland to the Department of Justice Consultation on Hate Crime and Hate Speech in December 2019.

Part 2 — Racial Discrimination in Schools

This is the submission made by Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland to the Committee on the Elimination of Racial Discrimination (CERD) in November 2019.

Part 2.1 Overview

2.1 Introduction

Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland work together in a campaign for secularism and human rights. Despite our different world views, we agree that each person should be treated with respect, our right to hold our beliefs should be treated with respect, and States should treat us all equally before the law by remaining neutral between religious and nonreligious philosophical convictions.

As part of our work:

- We promote the fundamental human rights of freedom of conscience, religion and belief, equality before the law, and freedom from discrimination for all citizens.
- We promote these human rights within Irish society and political institutions, and at the United Nations and other international human rights regulatory bodies.

2.1.2 Issues addressed in the Concluding Observations 2011

Non/multi-denominational education
CERD/C/IRL/CO/3-4 paragraph 26

Relevant paragraphs in the State party's report
CERD/C/IRL/5-9 paragraph 135-157

2.1.3 Implementation of the Recommendations

The State has not accelerated its efforts to establish alternative non-denominational or multi-denominational schools. There are no non-denominational schools, and there seems to be no prospect of any non-denominational schools being established. The policy of divesting a number of Catholic schools to other patron bodies has ground to a halt.

The State has amended the existing legislation that inhibits students from enrolling into a school because of their faith or belief, but it has only done so for Catholic schools. Also, even though they can no longer legally discriminate in access, these schools are still allowed to ask parents their religion because that part of the Act is not yet in operation.

The State has not encouraged diversity and tolerance of other faiths and beliefs in the education system by monitoring incidents of discrimination on the basis of belief. In fact, it encourages intolerance of non-faith families or families who seek a secular education for their children. It promotes moral education through religion, and does not support the right to opt out without discrimination from these courses.

2.1.4 Our Recommendations

For the purposes of the Convention on the Elimination of Religious Discrimination, we ask you to focus on the intersectionality between religious and racial discrimination, particularly with regard to the impact on people moving to Ireland from other countries.

2.1.4(a) Patronage: multiple patronage and ethos leads to segregation and inequality

The State should stop ceding control of almost all schools to private patron bodies, the vast majority of which have a self-interested religious prejudice while providing an essential public service.

2.1.4(b) Access: the right to attend a local school without religious discrimination

The right to discriminate in access on the ground of religion was removed for Catholic primary schools, but remains in place for minority faith schools. It is also in place for second level schools. All children should have access to their local school without religious discrimination.

2.4(c) Curriculum: the right to a neutral education not a religious integrated curriculum

Minorities should have the right to a neutral education, even in denominational schools, in the parts of the curriculum outside of the religious instruction classes from which they can opt out.

The right to opt out of religious instruction classes and worship in Irish schools must be vindicated in practice and not merely be a theoretical illusion.

Students who opt out of religious instruction classes (including classes that are called religious eduction classes) should be given an alternative timetabled subject.

Article 44.2.4 of the Constitution states that:

> "Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending religious instruction at that school."

However the right to attend a school without attending religious instruction is affected prejudicially by the fact that no alternative subject is offered, and schools are not responsible for the supervision of children who want to exercise this right. Most schools leave such children at the back of the class, where they are still influenced by the content.

In the High Court case in 1996 Campaign to Separate Church and State v Minister for Education, Justice Costello cited the rights guaranteed to parents under the European Convention and the United Nations. He said:

> "The parties to the First protocol of the European Convention for the Protection of Human Rights and Fundamental Freedoms agreed that States when assuming functions in relation to education "shall respect the rights of parents to ensure such education and teaching in accordance with their own religious and philosophical convictions (Article 2). The Irish Constitution has developed the significance of these parental rights and in addition has imposed obligations on the State in relation to them."
> https://www.teachdontpreach.ie/2019/08/redefine-supreme-court/

It seems to us that Human Rights law is used to support the rights of Catholic parents but, when it comes to supporting the human rights of nonreligious and religious minority parents and their children, the Minister and the Department of Education ignore those rights.

2.1.4(d) Teaching: the right of minorities to equal access to the teaching profession

In order to get employment as a teacher in the majority of Primary schools, minorities should not be required to have the Catholic Certificate in Religious Studies.

Minorities should not be obliged to actively support the Catholic ethos that is integrated into all subjects and the daily life of the school.

Section 37 of the Employment Equality Act no longer allows schools to discriminate against teachers on the grounds of sexuality, but they can and do still discriminate on the ground of religion. This should be further amended to rectify this.

Part 2.2 — Problems

2.2.1 Patronage: multiple patronage and ethos leads to segregation and inequality

The underlying problem with the Irish education system is the patronage system, whereby the State cedes control of schools to private patron bodies, the vast majority of which have a self-interested religious prejudice while providing an essential public service.

In 2014, the Oireachtas Joint Committee on Education concluded that multiple patronage and ethos as a basis for policy can lead to segregation and inequality in the education system, and that the objectives of admission policy should be equality and integration.

This is a significant and strongly-worded conclusion, that contrasts the current segregation and inequality with the objective of equality and integration. This conclusion goes to the heart of the religious discrimination in the Irish education system. The State should take it seriously, and act on it.

The policy of successive governments to promote plurality of patronage has resulted in the segregation of children not only on the grounds of religion but also on race, because of the intersectionality between racial and religious discrimination.

On average, 11 per cent of primary and secondary school pupils are non-Irish nationals. According to the latest school census, eight per cent of children from immigrant backgrounds were concentrated in 23 per cent of primary schools. In 20 schools, more than two-thirds of pupils are of non-Irish background.

Minorities wish to send their children to their local publicly funded school, where they can integrate and make friends. It is not practical for the state to fund different schools in every area in the country and it is a policy of segregation.

2.2.2 Access: the right to attend a local school without religious discrimination

Minorities are dispersed throughout the country and have no option but to send their children to schools with a religious ethos. Section 7 3 (c) of the Equal Status Act permits minority faith schools with a religious ethos to give preference to co-religionists, in the event of a shortage of place and in order to uphold their ethos.

This privilege has been removed from Catholic denominational schools, but these schools are still asking parents and students what their religion is, because the part of the Act that requires schools to describe their admissions processes is not yet in force.

2.2.3 Curriculum: the right to a neutral education not a religious integrated curriculum

Children have a human right to a neutral studying environment in all schools (multi-denominational or denominational). There are no non-denominational schools in Ireland and Home schooling is not a valid option.

The UN Human Rights Committee questioned Ireland about the right to a neutral education for minorities, even in denominational schools, in the parts of the curriculum outside of the religious instruction classes from which you can opt out.

Question by Yuval Shany:

"My follow-up question goes to the issue of denominational education, and I note the statement on improvements that are planned in the transparency of school admission policies. My two follow up questions in this regard are:

How does the Delegation explain the compatibility with the Covenant of a state of affairs that allows private schools, which have a near monopoly in Ireland on a vital public service, to openly discriminate in admission policies between children on the basis of their parents' religious convictions?

I would appreciate, whether orally or in writing, the Delegation's theory on this point, on this legal point. And whether the State believes or not that it is required to ensure a neutral studying environment in those schools, in denominational schools, outside the confines of religious instruction classes that can be opted out from?"

The state did not respond to this question, and the concluding observations included, on this particular issue:

"The Human Rights Committee is concerned about the slow progress in increasing access to secular education through … the phasing out of integrated religious curricula in schools accommodating minority faith or non-faith children. … Ireland should introduce legislation to … ensure that there are diverse school types and curriculum options available throughout the State party to meet the needs of minority faith or non-faith children."

A Religious integrated curriculum presupposes that children could learn about Christianity and the Catholic faith in detail and not objectively without being subjected mentally to what constitutes or might constitute unwanted influence or indoctrination. The Education Act 1998 does not oblige schools to inform parents exactly where in the curriculum they are integrating religion and what part of each subject is not delivered in a neutral and objective manner.

The right to Freedom of Conscience, religion and belief and the right of parents to ensure that the teaching of their children is in conformity with their convictions is not guaranteed and protected to minorities in Ireland.

2.2.3(a) Opting out of Religious instruction classes and worship

Most minorities do not have any option with regard to where they send their children to school. As the Catholic Church control the vast majority of schools in the country minorities have no choice but to send their children to schools whose mission is to evangelise.

Opting out of religious instruction classes and worship in Irish schools is a theoretical illusion. The Constitutional right to opt out in Irish schools has not been interpreted to mean the physical removal of students from religious instruction classes, prayers, preparation for Holy Communion/Confirmation, Religious ceremonies (Mass etc).

Parents are responsible for the supervision of their children if they wish to remove their children from religious instruction classes, prayers, and preparation for Holy Communion/Conformation or ceremonies (Mass etc).

There are no non-discriminatory exemptions or alternatives that would accommodate minorities and consequently parents cannot ensure that the teaching of their children is in conformity with their convictions. Small children are easily influenced by the evangelising mission of the vast majority of schools in Ireland. The religious ethos in the majority of schools can undermine the convictions of minority families.

No other subject is offered for children that are opted out of religion. In most cases children are left sitting in the back of the religious instruction class and will also attend religious ceremonies during school hours as parents simply cannot remove their child from school on a daily basis as it is far too much of a burden.

2.2.3(b) No objective teaching about religion, beliefs and ethics

One of the Recommendations from the Forum on Patronage and Pluralism was:

> "P 9 Education about Religion and Beliefs (ERB), and Ethics
>
> The Advisory Group is of the view that all children have the right to receive education in ERB and Ethics and the State has the responsibility to ensure that this is provided. The Advisory Group requests that the NCCA, with assistance from the partners and mindful of existing programmes, should develop curriculum and teacher guidelines for ERB and Ethics, in line with the Toledo Principles, the RedCo, and the Cambridge Primary Review.
>
> The Advisory Group has a particular concern for those children who do not participate in religious programmes in denominational schools. They may go through their primary schooling without any ERB and ethical education. For these children, the proposed programmes in ERB and Ethics are of central importance."

Despite the particular concern of the Forum and the work done by the NCCA on introducing a new subject (ERB and ethics) it has not been introduced.

The reason for the failure to introduce this subject is because of the objections of the Catholic Church. In their Submission to the NCCA on the proposed introduction on the Recommendation from the Forum on ERB and ethics the Catholic Church stated that:

> "5. These approaches require teachers to adopt and promote a pluralist approach to religion. This is an approach to religion that goes against the philosophical basis of Catholic religious education. Such a contradiction would place teachers in a very difficult position where conflicting philosophical approaches to religious education would have the potential to create significant confusion."

The vast majority of schools in Ireland do not adopt a pluralist approach to religion as that goes against the philosophical basis of Catholic religious education who is the main Patron Body. Minorities have no choice but to attend schools under the patronage of the Catholic Church where the positive obligation to respect and promote respect for their convictions is disregarded and where their children cannot opt out without discrimination.

2.2.4 Teaching: the right of minorities to equal access to the teaching profession

In order to get employment as a teacher in the majority of Primary schools, minorities are required to have the Catholic Certificate in Religious Studies. Minorities are also obliged to actively support the Catholic ethos that is integrated into all subjects and the daily life of the school.

Section 37 (1) of the Employment Equality Act 1998 gives a religious, educational or medical institution that is under the direction or control of a body established for religious purposes or whose objectives include the provision of services in an environment which promotes certain religious values permission to discriminate on religious grounds.

In order to train as a teacher and gain employment trainee teachers must take a Certificate in Religious studies (CRS). As the vast majority of schools in the state are religious it is nearly impossible to gain employment as a teacher without a CRS. Section 37 of the Employment Equality Act grants exemptions to religious bodies at the expense of the right to freedom of conscience, freedom of expression and the right to private and family life of minorities.

The UN Human Rights Committee has concluded that:

> "The Human Rights Committee is concerned that under Section 37(1) of the Employment Equality Acts, religious-owned institutions, including in the fields of education and health, can discriminate against employees or prospective employees to protect the religious ethos of the institution (arts.2, 18, 25 and 27).

Ireland should amend Section 37(1) of the Employment Equality Acts in a way that bars all forms of discrimination in employment in the fields of education and health."

In order to access the teaching profession and teach young children in Primary schools this is part of the requirement for minorities to get a job. Minorities are expected to teach as a truth the Catholic faith and to actively promote its ethos.

2.2.4(a) Recognition of Qualifications to Teach Catholic Religious Education

This is from the Recognition of Qualifications to Teach Catholic Religious Education in Catholic Primary Schools in the Island of Ireland:

"A. Undergraduate:
For a teacher with an initial teacher education degree to be recognised to teach in a Catholic school they should have 120 contact hours* in the area of Religious Education, to include an exploration of Catechesis and Catholic Religious Education, (hours of Religious or Theological subjects, in the B.Ed. or other degree), and of Religious or Theological Studies (taken in an additional Certificate). The prescribed areas for study include:

I. Religious Education:
Demonstrate knowledge, understanding and appreciation in a manner that indicates a professional approach to:

1. The rationale and aims of Religious Education in Catholic Primary schools in Ireland, including an understanding of the development of the child's linguistic, psychological, spiritual, ethical and moral readiness to engage progressively with their religious tradition

2. The Religious Education and ethical formation of Catholic pupils as set out in the National Directory for Catechesis and the Catechism of the Catholic Church
3. The current syllabus/curriculum in Religious Education designated by the Irish Catholic Bishops' Conference
4. The programme(s) and/or materials approved for use in Catholic Schools
5. The vision of the person, community and civil society embraced by the Catholic Church including the distinctive features of Catholic Education
6. Short and long term planning for the teaching of Religious Education in Catholic Primary schools in the Island of Ireland.

II. Theology:
Demonstrate knowledge, understanding and appreciation in the following fields of study:
1. God; Faith, Creed and Trinity
2. Jesus Christ and discipleship
3. Scripture
4. Prayer, Sacraments and Liturgy
5. Ethics, Social Justice and Spirituality and Human Rights
6. Church and Mission, Ecumenism and Inter-religious Dialogue
These themes allow for inclusion of many current issues, such as social justice, peace and reconciliation, gender, ethics, ecology, equality, disability, sexuality, racial, cultural and religious diversity, citizenship."

It should not be a requirement to teach the Catholic faith in order for minorities to get job in the vast majority of schools. The lack of minorities in the teaching profession is a reflection of our discriminatory laws that undermine the human rights of minorities and their integration into Irish society.

Part 3 — Prejudice-Motivated Crime & Freedom of Expression

This is the submission made by Atheist Ireland to the Department of Justice Consultation on Hate Crime and Hate Speech in December 2019.

3.1 The Law Should Say 'Prejudice-Motivated Crime' Not 'Hate Crime'

Laws should be accurate, understandable, and enforceable. Their words and definitions should be coherent, universal and inclusive, with clear and justified boundaries, and free from ideological assumptions. A person should be able to know whether or not they are breaking it.

Laws based on ambiguous or emotive words cannot do this. 'Hate crime' laws are not about hate. They are fundamentally about prejudice and bias on the basis of being a member of a group with common characteristics. Here are several examples of this concern being raised by experts:

> "Reflecting academic suggestions that hate crimes commonly involve bias or prejudice (rather than hate), ODIHR uses the term 'bias' in defining the hate crime motivation, rather than the more extreme emotion of 'hate'. Similarly, Sweden's National Council for Crime Prevention includes 'fear, hostility or hate' in its definition of motivations behind hate crimes, while in the UK the College of Policing's hate crime guidance, which applies to all 43 police forces in England and Wales, similarly does not use 'hate' as its definition but rather the lesser emotions of 'hostility or prejudice against an identifiable group of people'."
> — *Defining Hate Crime Internationally, Jon Garland and Corinne Funnell, Globalisation of Hate, Oxford University Press, p22*

> "According to Hannah Arendt, 'words can be relied on only if their function is to reveal and not to conceal' (1996:66). In that case, the pairing of the two words 'hate' and 'crime' is notoriously unreliable. There are crimes motivated by genuine hatreds that would never be prosecuted as hate crimes, and the term 'hate crime' can cover forms of bias that would never qualify as hatred on any conventional use of the term. However, the ambiguity of 'hate' is only one of several forms of confusion about the meaning of 'hate crime'. Describing it has been described as 'notoriously difficult' (Hall 2013:1) and like entering a 'conceptual swamp' (Berk, Boyd, and Hammer 2003:51). Definitions abound and consensus seems both improbable and to some degree undesirable."
> — *Conceptualising Hatred Globally, Thomas Brudholm, Globalisation of Hate, Oxford University Press, p33*

> "And what does 'hate' signify in this context? Is it an emotion, an attitude, a disposition, or something other? There are some reasons to prefer the terms 'bias' and 'prejudice' to 'hate'—they conceptually imply that the attitude is at fault, and they are attitudes connected to groups, not individuals."
> — *Hate Crime Concepts and their Moral Foundations, David Brax, Globalisation of Hate, Oxford University Press, p54*

> "Hate speech constitutes a growing phenomenon around the globe. In order to better address problems linked to hate speech, such as discrimination and the commission of physical hate crimes, policy and lawmakers have tried, unsuccessfully, to define it."
> — *How Should We Legislate Against Hate Speech? Viera Pejchal and Kimberley Brayson, Globalisation of Hate, Oxford University Press, p247*

Such laws often add to this confusion, by including definitions of 'hate' that are clearly not definitions of hate. As two practical examples, the Leicester Hate Crime Project 2014 (Britain's biggest study of hate crime victimisation), and the ODIHR (which guides OSCE States) use the following definitions:

> "A hate crime refers to acts of violence, hostility and intimidation directed towards people because of their identity or perceived 'difference'."
> *https://le.ac.uk/hate-studies/research/the-leicester-hate-crime-project*

> "The ODIHR definition has two facets. First, a hate crime must constitute a criminal offence, and second, the victim of the offence must have been deliberately targeted because of their ethnicity, race, religion, or other status."
> *— Defining Hate Crime Internationally, Jon Garland and Corinne Funnell, Globalisation of Hate, Oxford University Press, p22*

It is instantly clear how much more precise, accurate, and enforceable the following would be:

> "*A prejudice-motivated crime* refers to acts of violence, hostility and intimidation directed towards people because of their identity or perceived 'difference'."

> "First, *a prejudice-motivated crime* must constitute a criminal offence, and second, the victim of the offence must have been deliberately targeted because of their ethnicity, race, religion, or other status."

3.2 The Law Must Not Become a Blasphemy Law by Another Name

Because religion is one of the characteristics that is protected under the law, there is a danger that this might evolve into becoming a blasphemy law by another name. The law should take into account the same principles that led to the law against blasphemy being removed from the Constitution, and soon to be repealed from our statute law.

Those principles are that the law should protect people from harm, but that the law should not protect ideas or beliefs from criticism, including harsh or unreasonable criticism, or even ridicule. These principles also apply to ideas or beliefs related to other characteristics protected by the law. This balance can best be reached by basing the law on human rights standards.

Religion is different in essence to most other protected characteristics such as sex, sexual orientation, age, disability and race. These other characteristics are fixed, and do not depend on the internal beliefs of the person involved.

Religion, however, is based on beliefs that can be chosen or rejected. In many cases it can be difficult to change religious beliefs because of early childhood immersion, and it can be even harder to manifest a change of belief because of community pressure.

But it remains the case that unlike, say, race, religion involves beliefs that can be changed, and it is important that the law does not criminalise expressions of criticism of those beliefs,

> "regardless of the critical nature of the opinion, idea, doctrine or belief or whether that expression shocks, offends or disturbs others, so long as it does not cross the threshold of advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence."
> *— Ahmed Shaheed, UN Special rapporteur on Freedom of Religion and Belief (this statement is expanded on in Section 6 of this submission)*
> *https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24257&LangID=E*

Heiner Bielefeld, the former United Nations Special Rapporteur on Freedom of Religion and Belief, wrote in the Oxford Journal of Law and Religion that:
https://academic.oup.com/ojlr/article/1/1/15/1547673

> "A source of much confusion is the term 'identity' that plays a major role in many current debates on human rights, minority issues and anti-discrimination policies. It is one of those keys terms one can in fact hardly avoid using. However, the problem may arise that an

unspecified invocation of 'identity' in the context of freedom of religion or belief can obscure the component of 'change' or 'choice' that forms an integral and indispensable part of this human right.

Given the right to also change one's religion or to have and adopt a religion or belief of one's own choice, the notion of identity in the area of religion or belief conceptually differs from, say, identity in the area of ethnicity. When using the somewhat fashionable identity language, at least one has to insist that religious or belief-based identity is always an identity 'in the making', ie in the sense that it can change in most different ways and can also legitimately be exposed to missionary activities, including non-violent forms of provocation.

Saying this does not imply denying the possibility of serious changes also in other areas, like ethnicity. But still there remains a conceptual difference that in my opinion receives too little attention. To give just one example to illustrate the significance of that difference: While negative comments on some particular ethnic characteristics—an extreme case would be skin colour—for good reasons are generally condemned as unacceptable, negative remarks on religious ideas like, for instance, monotheism, divine revelation or re-incarnation, although possibly deemed offensive by the recipient groups, in my view clearly deserves a different assessment.

I would insist, at any rate, that there is a wider scope of legitimate intellectual provocation in the field of religion or belief than in the field of ethnicity—which has to do with the explicit recognition of the rights to change and to make choices in the field of religion or belief. Hence, if we simply lump together religion, belief, ethnicity, 'race' and other elements of a person's or a group's identity, with the purpose of protecting such identities, we run a serious risk of losing out of sight some crucial elements of freedom of religion or belief, including the freedom to search, choose, change, reach out, communicate, convert and peacefully provoke in the field of religious or belief."

3.3 Tackle Prejudice with Education, Tackle Crime with the Law

There are two aspects to prejudice-motivated crimes.

- Prejudice is the internal motivation. It can range from bias to hatred, filtered through tribal paranoia, a desire to bully, or a desire for revenge for some real or imagined injustice.

- Hostility is the outward behaviour. It can range from discrimination to harassment, intimidation and violence, and ultimately to oppression and persecution by States or terrorists.

What these types of prejudice and hostility have in common is that the victims are targeted because of their membership of a group, rather than because of anything that they have done personally. Typically, the group will be one of those that the laws of western democracies protect from discrimination, such as sex, sexual orientation, gender identity, age, disability, religion, race, membership of the Traveller community, civil status or family status.

However, these types of prejudice and hostility have different outcomes.

- At its least bad, prejudice against groups leads to disharmony, discrimination, segregation, inequality and alienation among diverse individuals who could otherwise live together more happily. Even what may seem to be minimal incidents of prejudice can have a serious psychological impact on the people who are targeted if it happens on a regular basis.

- At its worst, prejudice-motivated hostility can be similar to terrorism, which both harms innocent people, and also sends a threatening message to other people who are members of that group. It leaves the victims, and others in their community, afraid to go about their day-to-day business without fearing that another attack might come any time now.

These differences mean that we must challenge them in different ways.

- On the one hand, we can only change prejudice, bias and hatred by education, political and community leadership, and social pressure. We cannot change how people think and feel by making it illegal. However, we can use education-related measures to help people to understand and empathise with people who have different personal characteristics.

- On the other hand, we can challenge hostility, discrimination and violence by making it illegal. And we can make prejudice an aggravating factor when it is a motive for an existing crime.

- While doing both of the above, we should not criminalise people merely because of what they say or publish, no matter how repugnant their views, unless what they say or publish is defamatory, or a direct incitement to violence or another crime.

Again, this balance can best be reached by basing the law on human rights standards.

Even where a relevant crime has been committed, responding to that crime through the law should be accompanied with responding to the underlying prejudice through education. The Leicester Hate Crime Project said the following in its Victims' Manifesto: https://le.ac.uk/hate-studies/research/the-leicester-hate-crime-project/our-reports

> "10. There is often an assumption that members of the public – and particularly victims of crime – demand punitive responses to offending behaviour. Within the context of this study however, participants showed an overwhelming preference for the use of educational interventions and restorative approaches to justice, as opposed to extended prison sentences or harsher regimes. Moreover, this preference was shared by victims of different types of violent and non-violent hate crime and from different communities, ages and backgrounds.
>
> Many participants spoke of wanting the offender to understand the impact that their behaviour had had on them, their family and in some cases their wider community, and believed that this could be achieved through the use of facilitated mediation. More broadly, participants called for schools, youth workers and community groups to use educational programmes as a platform to inform young people about positive aspects of diversity, to connect divided and segregated communities, and to raise awareness of the harms of hate. Overall, participants felt that the use of smarter punishment – and not harsher punishment – offered a more effective route to challenging underlying prejudices, and therefore to preventing future offending."

3.4 Tackling Prejudice against Groups through Education and Leadership

The best way to tackle prejudice against groups is by bringing together people with different or overlapping characteristics, and working together on common goals. Atheist Ireland regularly works together with other groups facing prejudice in Ireland.

In particular, we have formed a unique alliance between Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim community in Ireland, as three groups with very different world-views who are all discriminated against by the lack of secular schools.

We also assist immigrants and refugees to Ireland who face prejudice because of their membership of a group, in particular ex-Muslims, and we work internationally with other atheist and secular groups who face similar problems in countries that are not democratic.

As well as the police dealing with crimes, there should also be a wide variety of people and organisations in society who are trained in helping people who face prejudice against groups, or at least who can direct victims to somebody who can help them more effectively.

The Leicester Hate Crime Project found that victims sometimes report their experiences to people or organisations such as: Teachers; Victim Support; Local Councils; Social Care Workers; Doctors or Nurses; Housing Associations; Disability Networks or Organisations; LGBT Organisations;

Community Leaders; Race Equality Networks or Organisations; Faith Networks or Organisations; Local Libraries; Transgender Networks or Organisations; True Vision.

However, the Leicester Hate Crime Project found that, while responses from Victim Support in particular were positive, some other people and groups were unable to respond knowledgeably.

The Leicester Hate Crime Project has also published a Victims' Manifesto which embodies the needs and expectations of those whose lives have been directly affected by hate crime. Their recommendations are:
https://le.ac.uk/hate-studies/research/the-leicester-hate-crime-project/our-reports

· Frontline practitioners should treat victims with empathy, humanity and kindness.
· Organisations should consider early interventions before incidents escalate into violence.
· Hate crime awareness campaigns should be publicised in more appropriate community locations.
· Public transport should be made safer for all.
· The public should be encouraged to take appropriate action when witnessing hate crimes.
· Third party reporting mechanisms should be located, staffed and publicised appropriately.
· Organisations should simplify reporting procedures and make them more victim-friendly.
· Organisations should engage more extensively with different groups and communities.
· Voluntary and tailored community services should be supported and properly resourced.
· Non-punitive responses to hate offending should be pursued to challenge underlying prejudices.

3.5 The Law Should be Based on Human Rights Principles

The following human rights principles are based on the balance between the rights to freedom of expression and freedom of religion or belief. These principles also apply to ideas or beliefs related to other characteristics protected by the law.

In March 2019, the UN Rapporteur on Freedom of Religion and Belief, Ahmed Shaheed, stated in the recommendations section of his report to the 40th session of the Human Rights Council:
https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24257&LangID=E

> "55 International law compels States to pursue a restrained approach in addressing tensions between freedom of expression and freedom of religion or belief. Such an approach must rely on criteria for limitations which recognise the rights of all persons to the freedoms of expression and manifestation of religion or belief, regardless of the critical nature of the opinion, idea, doctrine or belief or whether that expression shocks, offends or disturbs others, so long as it does not cross the threshold of advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence."

> "57 Increasingly, limitations on freedom of expression related to religion or belief take the form of anti-"hate speech" laws. Article 20 (2) of the International Covenant on Civil and Political Rights provides that States must prohibit by law any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence. At the same time, general comment No. 34 (2011) stresses that prohibitions under article 20 (2) must comply with the regime for limitations under article 19 (3). Moreover, advocacy of hatred requires a nuanced response that includes criminal sanctions as well civil, administrative and policy measures. States must ensure that criminal sanctions are imposed only in the most serious cases and be, based on a number of contextual factors, including intent."

> "62 countries must assess existing laws and measures for any vagueness of formulation… and review and redress laws and measures which do not stress the importance of *mens rea* (the reasonably evident presence of intent) as a necessary element in assessing guilt and punishment. The absence of the element of intent in formulating the definition of an offence, whether in the case of blasphemy or incitement to violence, has often resulted in erroneous convictions."

In 2008, the Venice Commission (European Commission for Democracy through law) published a report on the relationship between Freedom of Expression and Freedom of Religion. https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2008)026-e

> "43. Freedom of expression, guaranteed by Article 10 ECHR, constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and for each individual's self-fulfilment. Subject to paragraph 2 of Article 10, it is applicable not only to "information" or "ideas" that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend shock or disturb.

> "44. A democracy should not fear debate, even on the most shocking or anti-democratic ideas. It is through open discussion that these ideas should be countered and the supremacy of democratic values be demonstrated. Mutual understanding and respect can only be achieved through open debate. Persuasion through open public debate, as opposed to ban or repression, is the most democratic means of preserving fundamental values."

> "68. It is true that the boundaries between insult to religious feelings (and even blasphemy) and hate speech are easily blurred, so that the dividing line, in an insulting speech, between the expression of ideas and the incitement to hatred is often difficult to identify. This problem however should be solved through an appropriate interpretation of the notion of incitement to hatred rather than through the sanctioning of insult to religious feelings."

> "84. As important as the role of the courts may be in deciding whether a statement amounted to incitement to hatred or whether damages are incurred, the Commission is of the opinion that the relationship between freedom of expression and freedom of religion should not per se be regulated through court rulings, but, first and foremost, through rational consultation between people, believers and non-believers."

3.6 The Rabat Plan of Action

In 2013, the United Nations High Commissioner for Human Rights, in a report to the 22nd session of the Human Rights Council, addressed the question of the prohibition of incitement to national, racial or religious hatred. In particular, the report provided details on the wrap-up expert meeting organised in Rabat in October 2012, which brought together conclusions and recommendations from expert workshops and resulted in the adoption by the experts of the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf

The Rabat Plan of Action states that:

> "Pursuant to principle 12, national legal systems should make it clear, either explicitly or through authoritative interpretation, that the terms "hatred" and "hostility" refer to intense and irrational emotions of opprobrium, enmity and detestation towards the target group; the term "advocacy" is to be understood as requiring an intention to promote hatred publicly towards the target group; and the term "incitement" refers to statements about national, racial or religious groups which create an imminent risk of discrimination, hostility or violence against persons belonging to those groups. (footnote 5)"

> "14. Under international human rights standards, which are intended to guide legislation at the national level, expression labelled as "hate speech" can be restricted under articles 18 and 19 of the International Covenant on Civil and Political Rights on different grounds, including respect for the rights of others, public order or sometimes national security. States are also obliged to "prohibit" expression that amounts to "incitement" to discrimination, hostility or violence (art. 20, para. 2, of the Covenant and, under some different conditions, art. 4 of the International Convention on the Elimination of All Forms of Racial Discrimination)."

"20. In terms of general principles, a clear distinction should be made between three types of expression: expression that constitutes a criminal offence; expression that is not criminally punishable, but may justify a civil suit or administrative sanctions; expression that does not give rise to criminal, civil or administrative sanctions, but still raises concern in terms of tolerance, civility and respect for the rights of others."

"22. States should ensure that the three-part test – legality, proportionality and necessity – for restrictions to freedom of expression also applies to cases of incitement to hatred."

"29. It was suggested that a high threshold be sought for defining restrictions on freedom of expression, incitement to hatred, and for the application of article 20 of the International Covenant on Civil and Political Rights. In order to establish severity as the underlying consideration of the thresholds, incitement to hatred must refer to the most severe and deeply felt form of opprobrium. To assess the severity of the hatred, possible elements may include the cruelty or intent of the statement or harm advocated, the frequency, quantity and extent of the communication. In this regard, a six-part threshold test was proposed for expressions considered as criminal offences:

(a) Context: Context is of great importance when assessing whether particular statements are likely to incite discrimination, hostility or violence against the target group, and it may have a direct bearing on both intent and/or causation. Analysis of the context should place the speech act within the social and political context prevalent at the time the speech was made and disseminated;

(b) Speaker: The speaker's position or status in the society should be considered, specifically the individual's or organisation's standing in the context of the audience to whom the speech is directed;

(c) Intent: Article 20 of the International Covenant on Civil and Political Rights anticipates intent. Negligence and recklessness are not sufficient for an act to be an offence under article 20 of the Covenant, as this article provides for "advocacy" and "incitement" rather than the mere distribution or circulation of material. In this regard, it requires the activation of a triangular relationship between the object and subject of the speech act as well as the audience.

(d) Content and form: The content of the speech constitutes one of the key foci of the court's deliberations and is a critical element of incitement. Content analysis may include the degree to which the speech was provocative and direct, as well as the form, style, nature of arguments deployed in the speech or the balance struck between arguments deployed;

(e) Extent of the speech act: Extent includes such elements as the reach of the speech act, its public nature, its magnitude and size of its audience. Other elements to consider include whether the speech is public, what means of dissemination are used, for example by a single leaflet or broadcast in the mainstream media or via the Internet, the frequency, the quantity and the extent of the communications, whether the audience had the means to act on the incitement, whether the statement (or work) is circulated in a restricted environment or widely accessible to the general public;

(f) Likelihood, including imminence: Incitement, by definition, is an inchoate crime. The action advocated through incitement speech does not have to be committed for said speech to amount to a crime. Nevertheless, some degree of risk of harm must be identified. It means that the courts will have to determine that there was a reasonable probability that the speech would succeed in inciting actual action against the target group, recognising that such causation should be rather direct."

"35. While a legal response is important, legislation is only part of a larger toolbox to respond to the challenges of hate speech. Any related legislation should be complemented by initiatives from various sectors of society geared towards a plurality of policies, practices

and measures nurturing social consciousness, tolerance and understanding change and public discussion. This is with a view to creating and strengthening a culture of peace, tolerance and mutual respect among individuals, public officials and members of the judiciary, as well as rendering media organisations and religious/community leaders more ethically aware and socially responsible. States, media and society have a collective responsibility to ensure that acts of incitement to hatred are spoken out against and acted upon with the appropriate measures, in accordance with international human rights law."

3.7(a) Application of Human Rights Law to 'Hate Speech'

In October 2019, David Kaye, the United Nations Special Rapporteur on the promotion and protection of the freedom of opinion and expression, published a report to the United Nations General Assembly on the human rights law that applies to freedom of expression, with particular regard to online 'hate speech'.
https://www.ohchr.org/Documents/Issues/Opinion/A_74_486.pdf

The Special Rapporteur began, in the same manner as we have highlighted throughout this document, by describing the problems associated with using the phrase 'hate speech'.

> "1 'Hate speech', a short-hand phrase that conventional international law does not define, has a double-edged ambiguity. Its vagueness, and the lack of consensus around its meaning, can be abused to enable infringements on a wide range of lawful expression. Many governments use 'hate speech,' like 'fake news,' to attack political enemies, non-believers, dissenters and critics. Yet the phrase's weakness ('it's just speech') also seems to inhibit governments and companies from addressing genuine harms such as the kind that incites violence or discrimination against the vulnerable or the silencing of the marginalised. The situation frustrates a public that often perceives rampant online abuse."

He then addressed 'hate speech' regulation in international human rights law.

> "6. Since the freedom of expression is fundamental to the enjoyment of all human rights, restrictions on it must be exceptional, subject to narrow conditions and strict oversight. The Human Rights Committee has underlined that restrictions, even when warranted, "may not put in jeopardy the right itself". The exceptional nature of limitations is described in article 19 (3) of the Covenant, recognising that States may restrict expression under article 19 (2) only where provided by law and necessary to respect the rights or reputations of others or protect national security, public order, public health or morals.

> These are narrowly defined exceptions (see, in particular, A/67/357, para. 41, and A/HRC/29/32, paras. 32–35), and the burden falls on the authority restricting speech to justify the restriction, not on the speakers to demonstrate that they have the right to such speech.8 Any limitations must meet three conditions:

>> (a) *Legality*. The restriction must be provided by laws that are precise, public and transparent; it must avoid providing authorities with unbounded discretion, and appropriate notice must be given to those whose speech is being regulated. Rules should be subject to public comment and regular legislative or administrative processes. Procedural safeguards, especially those guaranteed by independent courts or tribunals, should protect rights;

>> (b) *Legitimacy*. The restriction should be justified to protect one or more of the interests specified in article 19 (3) of the Covenant, that is, to respect the rights or reputations of others or to protect national security, public order, public health or morals;

>> (c) *Necessity and proportionality*. The restriction must be demonstrated by the State as necessary to protect a legitimate interest and to be the least restrictive means to achieve the purported aim. The Human Rights Committee has referred to these conditions as "strict tests", according to which restrictions "must be applied only for

those purposes for which they were prescribed and must be directly related to the specific need on which they are predicated".

"8. Under article 20 (2) of the Covenant, States parties are obligated to prohibit by law "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence". States are not obligated to criminalise such kinds of expression. The previous Special Rapporteur explained that article 20 (2) relates to (a) advocacy of hatred, (b) advocacy which constitutes incitement, and (c) incitement likely to result in discrimination, hostility or violence (A/67/357, para. 43)."

"10. A critical point is that the individual whose expression is to be prohibited under article 20 (2) of the Covenant is the advocate whose advocacy constitutes incitement. A person who is not advocating hatred that constitutes incitement to discrimination, hostility or violence, for example, a person advocating a minority or even offensive interpretation of a religious tenet or historical event, or a person sharing examples of hatred and incitement to report on or raise awareness of the issue, is not to be silenced under article 20 (or any other provision of human rights law). Such expression is to be protected by the State, even if the State disagrees with or is offended by the expression. There is no "heckler's veto" in international human rights law."

"24. It is important to emphasise that expression that may be offensive or characterised by prejudice and that may raise serious concerns of intolerance may often not meet a threshold of severity to merit any kind of restriction. There is a range of expression of hatred, ugly as it is, that does not involve incitement or direct threat, such as declarations of prejudice against protected groups. Such sentiments would not be subject to prohibition under the International Covenant on Civil and Political Rights or the International Convention on the Elimination of All Forms of Racial Discrimination, and other restrictions or adverse actions would require an analysis of the conditions provided under article 19 (3) of the Covenant. The six factors identified in the Rabat Plan of Action for criminalising incitement also provide a valuable rubric for considering how to evaluate public authorities' reactions to such speech. Indeed, the absence of restriction does not mean the absence of action; States may (and should, consistent with Human Rights Council resolution 16/18) take robust steps, such as government condemnation of prejudice, education, training, public service announcements and community projects, to counter such intolerance and ensure that public authorities protect individuals against discrimination rooted in these kinds of assertions of hate."

3.7(b) Application of Human Rights Law to Online 'Hate Speech'

The Special Rapporteur went on to address the human rights law that applies to freedom of expression, with particular regard to online 'hate speech'. He began by addressing State obligations and the regulation of online hate speech, including by stating that:

"29. Strict adherence to international human rights law standards protects against governmental excesses. As a first principle, States should not use Internet companies as tools to limit expression that they themselves would be precluded from limiting under international human rights law. What they demand of companies, whether through regulation or threats of regulation, must be justified under and in compliance with international law. Certain kinds of action against content are clearly inconsistent with article 19 (3) of the International Covenant on Civil and Political Rights, such as Internet shutdowns and the criminalisation of online political dissent or government criticism (see A/HRC/35/22). Penalties on individuals for engaging in unlawful hate speech should not be enhanced merely because the speech occurred online.

"31. Article 19 (3) of the Covenant requires that, when imposing liability for the hosting of hate speech, the phrase itself and the factors involved in identifying the instances of hate speech must be defined. In a proposal to impose liability for a failure to remove "incitement", the content of such incitement must be defined consistent with article 20 (2) of the Covenant and article 4 of the International Convention on the Elimination of All Forms of

Racial Discrimination, including by defining the key terms in the Rabat Plan of Action noted above."

"32. Several States have adopted or are considering adopting rules that require Internet companies to remove "manifestly unlawful" speech within a particular period, typically within 24 hours or even as brief as 1 hour, or otherwise to remove unlawful content within a lengthier period. The most well-known of these laws is the Network Enforcement Act of Germany… While the Network Enforcement Act should be understood as a good-faith effort to deal with widespread concern over online hate and its offline consequences, the failure to define these key terms undermines the claim that its requirements are consistent with international human rights law."

"35. The push for upload filters for hate speech (and other kinds of content) is ill-advised, as it drives the platforms towards the regulation and removal of lawful content. They enhance the power of the companies with very little, if any, oversight or opportunity for redress. States should instead be pursuing laws and policies that push companies to protect free expression and counter lawfully restricted forms of hate speech through a combination of features: transparency requirements that allow public oversight; the enforcement of national law by independent judicial authorities; and other social and educational efforts along the lines proposed in the Rabat Plan of Action and Human Rights Council resolution 16/18."

He then addressed Company content moderation and hate speech, including by stating that:

"40. It is on the platforms of Internet companies where hateful content spreads online, seemingly spurred on by a business model that values attention and virality. The largest companies deploy "classifiers", using artificial intelligence software to identify proscribed content, with perhaps only intermittent success, on the basis of specific words and analysis."

"41. Internet companies shape their platforms' rules and public presentation (or brand). They have an enormous impact on human rights, particularly but not only in places where they are the predominant form of public and private expression, where a limitation of speech can amount to public silencing or a failure to deal with incitement can facilitate offline violence and discrimination (A/HRC/42/50, paras. 70–75)."

"42. In previous reports, it has been argued that all companies in the ICT sector should apply the Guiding Principles on Business and Human Rights of the United Nations and integrate human rights into their products by design and by default. However, companies manage hate speech on their platforms almost entirely without reference to the human rights implications of their products… The Special Rapporteur reiterates the call for companies to implement human rights policies that involve mechanisms to:

(a) Conduct periodic reviews of the impact of the company products on human rights;

(b) Avoid adverse human rights impacts and prevent or mitigate those that arise;

(c) Implement due diligence processes to "identify, prevent, mitigate and account for how they address their impacts on human rights" and have a process for remediating harm."

"45. The lack of transparency is a major flaw in all the companies' content moderation processes. There is a significant barrier to external review (academic, legal and other) of hate speech policies as required under principle 21: while the rules are public, the details of their implementation, at the aggregate and granular levels, are nearly non-existent…"

"47. The companies should review their policies, or adopt new ones, with the legality test in mind. A human rights-compliant framework on online hate speech would draw from the definitional guidance mentioned above and provide answers to the following:

(a) What are protected persons or groups?
(b) What kind of hate speech constitutes a violation of company rules?
(c) Is there specific hate speech content that the companies restrict?
(d) Are there categories of users to whom the hate speech rules do not apply?

"52. Evelyn Aswad identifies three steps that a company should take under the necessity framework: evaluate the tools it has available to protect a legitimate objective without interfering with the speech itself; identify the tool that least intrudes on speech; and assess whether and demonstrate that the measure it selects actually achieves its goals."

3.7(c) Recommendations for States Regarding Online 'Hate Speech'

The Special Rapporteur made the following recommendations for States:

"57. State approaches to online hate speech should begin with two premises. First, human rights protections in an offline context must also apply to online speech. There should be no special category of online hate speech for which the penalties are higher than for offline hate speech. Second, Governments should not demand – through legal or extralegal threats – that intermediaries take action that international human rights law would bar States from taking directly. In keeping with these foundations, and with reference to the rules outlined above, States should at a minimum do the following in addressing online hate speech:

(a) Strictly define the terms in their laws that constitute prohibited content under article 20 (2) of the International Covenant on Civil and Political Rights and article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and resist criminalising such speech except in the gravest situations, such as advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and adopt the interpretations of human rights law contained in the Rabat Plan of Action;

(b) Review existing laws or develop legislation on hate speech to meet the requirements of legality, necessity and proportionality, and legitimacy, and subject such rule-making to robust public participation;

(c) Actively consider and deploy good governance measures, including those recommended in Human Rights Council resolution 16/18 and the Rabat Plan of Action, to tackle hate speech with the aim of reducing the perceived need for bans on expression;

(d) Adopt or review intermediary liability rules to adhere strictly to human rights standards and do not demand that companies restrict expression that the States would be unable to do directly, through legislation;

(e) Establish or strengthen independent judicial mechanisms to ensure that individuals may have access to justice and remedies when suffering cognizable harms relating to article 20 (2) of the Covenant or article 4 of the Convention;

(f) Adopt laws that require companies to describe in detail and in public how they define hate speech and enforce their rules against it, and to create databases of actions taken against hate speech by the companies, and to otherwise encourage companies to respect human rights standards in their own rules;

(g) Actively engage in international processes designed as learning forums for addressing hate speech."

3.7(d) Recommendations for Companies Regarding Online 'Hate Speech'

The Special Rapporteur also made the following recommendations for online companies:

"58. Companies have for too long avoided human rights law as a guide to their rules and rule-making, notwithstanding the extensive impacts they have on the human rights of their users and the public. In addition to the principles adopted in earlier reports and in keeping with the Guiding Principles on Business and Human Rights, all companies in the ICT sector should:

(a) Evaluate how their products and services affect the human rights of their users and the public, through periodic and publicly available human rights impact assessments;

(b) Adopt content policies that tie their hate speech rules directly to international human rights law, indicating that the rules will be enforced according to the standards of international human rights law, including the relevant United Nations treaties and interpretations of the treaty bodies and special procedure mandate holders and other experts, including the Rabat Plan of Action;

(c) Define the category of content that they consider to be hate speech with reasoned explanations for users and the public and approaches that are consistent across jurisdictions;

(d) Ensure that any enforcement of hate speech rules involves an evaluation of context and the harm that the content imposes on users and the public, including by ensuring that any use of automation or artificial intelligence tools involve human-in-the-loop;

(e) Ensure that contextual analysis involves communities most affected by content identified as hate speech and that communities are involved in identifying the most effective tools to address harms caused on the platforms;

(f) As part of an overall effort to address hate speech, develop tools that promote individual autonomy, security and free expression, and involve de-amplification, de-monetisation, education, counter-speech, reporting and training as alternatives, when appropriate, to the banning of accounts and the removal of content."

3.8 Police Operational Guidelines in the United Kingdom

Our law should ensure that the Police Operational Guidelines on this issue in the United Kingdom cannot be replicated here, particularly with regard to the concept of 'non-crime hate incidents.' http://library.college.police.uk/docs/appref/ C204I1019_Hate%20Crime%20Operational%20Guidance.pdf

These Guidelines have resulted in police officers calling to the houses and workplaces of people, who the police know have not committed any crime, to warn that person about content that they have lawfully published online, because somebody else has complained that they were motivated by hatred, without the complainant being required to justify their belief with any evidence.

Even though the person has committed no crime, the police then record and store the person's details under the heading 'non-crime hate incident'. Potential employers can then access this information under Disclosure and Barring Service checks.

This practice is currently the subject of a Judicial Review in the United Kingdom High Court, with the judgement due either before Christmas or early next year.

Because religion is one of the characteristics that is protected under the law, there is a danger that such Guidelines might evolve into becoming a blasphemy law by another name, as we have outlined in Section 3 of this document.

The Police Operational Guidelines in the United Kingdom include the following potential or actual breaches of human rights:

Responding to Hate

"1.4 Chief officers should ensure that hate crimes and non-crime hate incidents are recorded and included as part of the force intelligence and demand assessments."

Perception-based Recording

"1.10 The perception of the victim, or any other person, determines whether an incident should be flagged as a hate crime (where circumstances meet crime recording standards), or non-crime hate incident."

"1.11 The victim does not have to justify or provide evidence of their belief, and police officers or staff should not directly challenge this perception. Evidence of the hostility is not required for an incident to be recorded as a hate crime or non-crime hate incident."

"1.12 If the facts do not identify a recordable crime but the victim perceived it to be a hate crime, it should be recorded as a non-crime hate incident."

Malicious Complaints

"1.22 If a report of a malicious complaint identifies that a crime has been committed, this should be recorded as such… If no crime has taken place, but the victim or any other person still perceives that the incident was motivated wholly or partly by hostility, it should be recorded as a non-crime hate incident."

Non-Monitored Hate Crime

"1.25 Forces, agencies and partnerships can extend their local policy response to hate crime and non-crime hate incidents to include additional types of hostilities they believe are prevalent in their area or that are causing the greatest concern to their community."

Responding to Non-Crime Hate Incidents

"5.2 Where it is established that a criminal offence has not taken place, but the victim or any other person perceives that the incident was motivated wholly or partly by hostility, it should be recorded as a non-crime hate incident."

Recording Non-Crime Hate Incidents

"5.28 Police officers may also identify a non-crime hate incident, even where the victim or others do not."

"5.29 The recording system for local recording of non-crime hate incidents varies according to local force policy."

Disclosure and Barring Service Checks

"5.33 A current or prospective employer may request a Disclosure and Barring Service (DBS) check as part of their employment and/or recruitment processes."

"5.34 For the majority of roles, a standard DBS check will be required and this will disclose conviction information, including cautions. An enhanced DBS check will show the same data as a standard check, plus any other information held by the police that the chief officer considers to be relevant to the role. This may include records relating to non-crime hate incidents."

> "5.35 Chief officers must take into account the circumstances of the non-crime hate incident and whether it is relevant to the DBS check taking into account the role for which the person is applying, proportionality and human rights."

Responding to Online Hate Crimes

> "9.8 If an allegation does not include a crime, the incident should be recorded as a non-crime hate incident, and the victim can be encouraged to contact the internet host themselves to ask them to consider removing the material. If they report it to True Vision, it would be recorded centrally as a non-crime hate incident."

3.9 Prohibition of Incitement to Hatred Act 1989

With specific regard to the review of the Prohibition of Incitement to Hatred Act 1989, we recommend the following:

That the title should be changed to:

> "Prohibition of Incitement to Prejudice-Motivated Crime Act.

That the definition of Prejudice-Motivated Crime should be:

> "Discrimination, hostility or violence against a person or persons based on their membership or perceived membership of a group with characteristics that are protected by law."

That the notion of 'stirring up' 'hatred' should be dropped, as it is not sufficiently accurate, precise, understandable, or coherent to form part of a law.

That the crime should require either intention to incite a prejudice-motivated crime, or that incitement to such a crime should be a reasonably foreseeable consequence based on the available evidence.

That the core of the offence should be something like:

> "To publish or distribute written material, words, (…etc.) which are intended to incite a prejudice-motivated crime, or, having regard to all the circumstances including the available evidence, incitement to a prejudice-motivated crime is a reasonably foreseeable consequence…"

That it should be made explicit that is not an offence under this Act to criticise beliefs, ideas, ideologies, or historic or current behaviours, associated with groups whose members are protected as individuals from prejudice-motivated crime.

That the remainder of the Act should be amended, where relevant, to reflect these changes.

3.10 Conclusion

These are our recommendations on how the State should

- Tackle prejudice against groups through education,
- and tackle prejudice-motivated crime through the law,
- while protecting the right to freedom of expression,
- based on human rights principles and standards,

with regard both to the review of the Prohibition of Incitement to Hatred Act 1989 and to any new legislation that may be developed to deal with what is often described as hate crime.

Title:

Building a Black Inclusive Curriculum in Ireland: Showing a demonstrated need for a Black inclusive anti-racist curriculum within the Irish education system.

Abstract:

The Department of Education in Ireland is dedicated to providing an inclusive education for all children residing in the State. While this is a noble endeavour, there is much work to be done in regard to the veracity of this "inclusion." A preliminary audit of the current curriculum indicates that the curriculum areas of most subjects largely focus on historical figures, authors, and historical events that refer to white members of society. An investigation into the necessity of an inclusive curriculum for all schools in Ireland was carried out that included research and a collection of survey and focus group data. Information was gathered on curriculum subject matter as well as the disadvantages that a lack of representation and inclusion confers on Black and People of Colour in Ireland. Based on the aforementioned findings, our conclusion is that a redesign of the current curriculum and exam framework, in addition to anti-racism and anti-bias training for all school staff, would benefit all students in Ireland and not just those belonging to minority groups.

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I.   Introduction:

The Equal Status Act 2000-2012 states "You are entitled to equal treatment no matter what your race, skin colour, nationality or ethnic origin is (p5)." The act allows for 'positive action' to be taken. This action is taken to: "promote equality of opportunity for disadvantaged categories under the nine grounds", one of which is race (Government of Ireland, 2000, p.10). Based on this Act, all children of school-going age in Ireland are entitled to equal opportunity in education.

Thus far, efforts have been made to create a more inclusive educational environment for minority groups in Ireland. For example, the 2019 Audit on Traveller Culture and History in the Curriculum carried out by the NCCA has already targeted a specific minority group in Irish schools in an inclusion strategy, aiming to transform the experience of Irish Travellers in education today. We ask that the same measures be taken to target full inclusion of the black community in Irish schools at every level.

The Traveller Audit identifies "a call for teachers/early childhood practitioners to be provided with professional learning on Traveller and Roma culture, with approaches to embracing cultural diversity to be made a compulsory feature of both initial teacher education and continuous professional development. The embedding of Traveller and Roma culture in the curriculum is also recommended" ((National Council for Curriculum and Assessment, 2019, p.8). As the NCCA found a need for further teacher training specifically around the cultures of the Traveller and Roma communities, these same measures should also be undertaken with regard to members of the Black community in Ireland. In fact, teachers should be provided with explicit anti-bias and anti-racism training that would allow them to understand their own inherent biases and develop a more empathetic understanding and appreciation of all cultures they may encounter in their classrooms, thus facilitating a more inclusive learning environment for all students.

As part of our research, we carried out an investigation into the following areas:

- The damaging effects and consequences of a lack of representation and inclusion on students;
- The place of Black culture and history in the existing curriculum, from early childhood through to senior cycle;
- Current intercultural education guidelines and other resources for schools in relation to the Black community and their effectiveness;
- Existing opportunities for teaching about black culture and history and how it is incorporated into curricular subjects and school life;
- Anti-bias and anti-racism teacher preparation and guidance for schools;
- The current lack of diversity amongst the teaching staff in Ireland.

II. Literature Review:

<u>Damaging effects and consequences of a lack of representation and inclusion on students</u>:

The consequences for non-inclusive approaches in education towards minority groups are far-reaching and affect success outcomes in other areas. Ineffective or absent approaches targeting inclusion in schools, whether achieved through curriculum, patronage, culture or within in-class teacher-led discourse can lead to poorer educational outcomes for marginalised or minority groups. One such knock-on consequence of poor educational attainment is poor employment opportunities. The *Human Rights and Equality Commission and ESRI* published findings in their report 'Ethnicity and Nationality in the Irish Labour Market'. Lead author of the report, Frances McGinnity of the ESRI, states: "Different ethnic groups have different outcomes in the Irish labour market, even if they are Irish citizens. This suggests that we need to consider ethnicity more explicitly when designing policies to overcome differences in labour market outcomes across different groups" (McGinnity, Grotti, Groarke and Coughlan, 2018). While this refers explicitly to the labour market, it is clear that education is one such portal to this market, and barriers faced at labour market level are likely to be mirrored in schools. Further findings of this study include startling statistics:

- People from the **Black non-Irish group** are less than half (0.4 times) as likely to be employed than White Irish and five times as likely to experience discrimination when seeking work.
- People from the **Black Irish group** are twice as likely to experience discrimination seeking work and just under three and a half times (3.4 times) as likely to experience discrimination in the workplace as White Irish (McGinnity, Grotti, Groarke and Coughlan, 2018).

Outside of this, additional research has identified that even with high levels of educational attainment, higher unemployment levels are experienced by migrant groups. The ESRI report on 'Origin and Integration: A Study of Migrants in the 2016 Irish Census' supports this.

To further add to the conversation, the study 'Hidden Versus Revealed Attitudes: A List Experiment on Support for Minorities in Ireland' examines other critical issues. Salome Mbugua, Irish Human Rights and Equality Commission member, states:

> "The report comes at a moment when the relationship between individual attitudes and systemic racism has been cast into sharp focus. The research shines a light into understanding the frequently subtle, covert or coded forms of prejudice and discrimination, which people in Ireland can face. A better understanding of the relationship between people's hidden and revealed attitudes can inform how we as a society identify and face racism and racial discrimination at all levels." (McGinnity et al., 2020)).

Negative attitudes of the white majority towards Black people, and other minority groups, was statistically significant at more than 50 percent, and these attitudes were more likely to increase

when the opportunity to conceal them was evident. Those participants with higher education levels were less likely to state prejudiced views openly, but when their opportunity to conceal increased, so too did their likelihood to express racist views (McGinnity, Creighton and Fahey, 2020, p.36).

Presentations at the Racism and Education Conference Event in UCC in 2012 included research from Dr. Karl Kitching and Alice Curtin which is sobering in light of the current structure of schooling in Ireland. Kitching identifies the persistence of racism because of how "it manifests through social practices, and structured relations between different social groups within and outside of state institutions" (Kitching, p2). Kitching points out that the Irish education system is often seen as the 'nice face' of the institutions and structures in Ireland when discussing racism, but that this is a misguided belief, and significant problems exist within schools at many different levels. Kitching goes on to state that counterproductive interventions in education and schooling, which are often borne out of misguided beliefs around education as apolitical or pre-political, "ignore the ways schools, other education institutions and workplace professional development might reinforce or produce racist social and achievement outcomes (including racism at the level of friendships and interactions)" (p2 Curtin).

It is absolutely crucial that the education system is reflective of its population and does not pretend to posit that there is an absence of issues at this level. "Key to understanding institutionalised racism is that it develops over time and operates 'routinely' as part of a system that appears to be neutral and universally beneficial – something that education systems are typically assumed to be" (Kitching et al. p3). Byrne and Smyth in further research note "the lack of Department of Education and Skills support felt at the local school/leadership level in terms of resourcing 'intercultural' approaches"(17). This dearth of support for schools then makes the transformation in practice that is required at local school level almost impossible.

Byrne et al. deduce from this research that minority students do not experience equal access to the official curriculum and to knowledge about higher education, which is often negotiated by the 'insider knowledge' of the white Irish majority. Byrne's research postulates that institutional racism exists in the Irish education system in various different manifestations, some of which include the regeneration of inequalities through biased disciplinary systems, programming, hidden curricula, admissions criteria which favour the settled communities and serve to raise the bar for migrant students to enrol, and teacher expectation in relation to migrant students (Darmody, Byrne and McGinnity 2012 11).
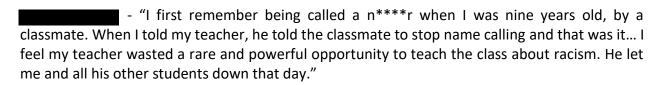
Disadvantage in education is felt more acutely by those who come from different backgrounds to the White Irish majority. These students are overrepresented at national level, "in areas of disadvantage" (Kitching 20). This does not even begin to address inadequacy in terms of school ethos and culture, but rather focuses instead on catchment area, patronage, DEIS status, under-resourcing in terms of language resource supports, and access to third level etc. The legacy of this disadvantage at national level feeds downward to an individual level, where 'these schools expose them to a heightened level of risk of not adjusting socially and academically (Darmody, Byrne and McGinnity 2012: 7).

The position of the teacher is inevitably crucial and the inherent biases of a majority White Irish teacher staff, who do not receive any bias training either during initial teacher training or subsequently under the umbrella of continuous professional development courses, leads to a problematic class culture. Devine's 2011 study observes the 'deficit' view that many teachers have of children for whom English is a second language, and how these views have been linked significantly to streaming and tracking practices (Lyons 2010; Darmody et al. 2012). As Dylan Wiliam has identified in his research, teacher expectation greatly impacts actual student performance, and lower expectations, in spite of actual student ability outstripping these expectations, can cause serious detriment to student outcome.

The Department of Education and Skills (2011) argues that migrant students' increasing representation in Leaving Certificate Applied programmes is proof of successful mainstream engagement at second level. The LCA programme has been identified in research as presenting a significant lack of curricular challenge for participants in comparison to their traditional Leaving Certificate cohort. In fact, in many schools LCA is a programme which has very little interaction with the mainstream cohort and curriculum, and could be viewed as an aspect of hidden curricula which serves to further exclude migrant students: "LCA graduates have comparatively less favourable opportunities within the employment sector following school" (Banks et al. 2009 p.13).

Aside from wider school factors affecting access to curriculum, access to schools in the catchment area, and barriers in teacher attitudes, a 1998 study of overseas students in Ireland by the Irish Council for Overseas Students found that "89 per cent of non-white students had experienced racial discrimination. Over 40 per cent of the everyday discrimination the overseas students had experienced consisted of racist abuse" (The Irish Times, Welcome to Dublin, Unless You're Black Sat, Apr 24, 1999, 01:00).

An *Irish Times* article from June 2020 presents us with the stark experiences of Black students who have been through the Irish education system:

████████ - "I first remember being called a n****r when I was nine years old, by a classmate. When I told my teacher, he told the classmate to stop name calling and that was it... I feel my teacher wasted a rare and powerful opportunity to teach the class about racism. He let me and all his other students down that day."

████████ - "I have experienced racism at school, not just from ignorant kids who didn't know any better, but from adults too. They would shame me, belittle me and make me question why I was born Black. Any time me and my Black friends chose to sit next to each other, we were questioned why we wanted to segregate ourselves. All white eyes stared back at the Black kid whenever the N word was present in the novels we read."

████████ – "In secondary school, my friends and I couldn't hang in groups because teachers would tell us we were in a gang, while white kids could be in a large group and face no consequences at all. I had some racist classmates too. Every time I was in an argument with

someone, they would bring up the colour of my skin and call me a "blackie". For them it was a joke, but for me it wasn't."

Based on the reports quoted above, it can be ascertained that these students felt let down by their schools, felt unsafe in schools, and were treated appallingly due to the colour of their skin. These reports coincide with the findings of our own research, which demonstrated an overwhelming majority of BIPOC had similar experiences while in school in Ireland.

Existing Curriculum Frameworks

Primary

The Primary School Curriculum (1999) was the first major revision since Curaclam na Bunscoile (1971). As noted in the first pages of the introduction "there has been a combination of educational, economic, social and cultural developments in Irish society" (NCCA, 1999, p2). The Draft Primary Curriculum Framework (2020) states one of the successes of the 1999 curriculum is the focus on children's enjoyment of learning. It recognises that the experiences that children have in primary school have an instrumental impact on their future as well as towards ensuring a more inclusive society in Ireland.

The new Draft Primary Framework advocates for inclusive education and diversity which "celebrates diversity, and responds to the uniqueness of every child". Some of the principles of teaching and learning from the new Draft Framework that are of particular importance in the context of a Black Inclusive Curriculum include Transitions and Continuity: where "children's prior learning, self-worth and identity are built upon"; Pedagogy: when teachers connect "with children's life experiences and their interests"; Partnerships: how children's learning is extended by "acknowledging and supporting their lives in and out of school" and Inclusive Education and Diversity: which "celebrates diversity and responds to the uniqueness of every child" (NCCA, 2020, p6).

Part of Goal 1 of the Statement of Strategy (DES, 2021, p18) recognises the importance of "ensuring that our education system is fully welcoming of diversity and inclusion". Children School Lives (2020) surveyed principals from 189 primary schools, with findings that 81% of the principals indicated that they had some children from immigrant families in their schools, 26% had children from refugee families, 38% had children from the Travelling community and 84% indicated that they had some children whose mother tongue wasn't English or Irish. Growing Up in Ireland (2021) references how the quality of children's relationships with their teachers affects their engagement in school and how attitudes to their teacher were strongly affected by how they were treated by their teacher; they also noted significant gender differences but haven't included data relating to race. By teaching children about diverse languages, cultures and worldviews the curriculum can aim "to build school communities that nurture and respond to the variability of learners, fostering a sense of belonging for all" (NCCA, 2020, p20). Children School Lives (2020) state that their study of 125 children attending 2nd Class from seven primary schools reflected the diversity of the national population: 12.7% of the children were born in a

country outside Ireland and 16.5% spoke a language other than English as their first language at home. This data doesn't differentiate between people who are born in Ireland and speak English as a first language but are of a different race or ethnic group.

"In denominational schools with significant diversity there was perhaps a need for greater reflection as to how to talk about religions, beliefs and ethics in the shared space of the school" (NCCA, 2007, p103). The state has recognised its role in making sure that "respect for all members of society is promoted and nurtured" (NCCA, 2020, p2) through the inclusion of a new subject area, Education about Religions and Beliefs and Ethics. This highlights the importance of also including specific anti-racism lessons as part of this curricular content. It is also worth considering how schools that lack diversity can help teach tolerance, foster empathy and explore diversity respectfully "to make the country truly diverse it is essential to make such a programme available even to schools/areas that may not have diversity" (NCCA, 2007, p114). Since all our children live in a country and a world that is becoming increasingly diverse, we need to prepare them for that world. "Intercultural education is an important part of every child's educational experience whether the child is in a school which is characterised by ethnic diversity, in a predominantly non-ethnic school, or whether the child is from the dominant or a minority culture" (NCCA, 2005, p4). The Statement of Strategy's (DES, 2021, p21) second goal recommends the publication of a Traveller Education Strategy and also "to increase diversity and strengthen the relationship between schools and their local communities" by offering more choice to parents and students in relation to school type.

The Primary Language Curriculum (2015) states the importance of embracing cultural and linguistic diversity through nurturing and affirming children's home languages and using that knowledge to promote language awareness in the classroom. The Draft Primary Curriculum Framework outlines the purpose of Social and Environmental Education as "learning about the rich diversity of peoples their experiences, cultures, beliefs and environments in different times, places and circumstances" (NCCA, 2020, p14). As part of this study seven publishers of primary school text-books were contacted and asked about their representation of Black people and People of Colour in their textbooks. Efforts are being made to be inclusive by improving representation of different cultures in more recent publications. Series that have been released recently have included some Black inclusive illustrations and a few stories about Black people or People of Colour, as well as some adaptations of traditional stories. While the Draft Primary Curriculum Framework (2020) does mention the importance of diversity there is no specific reference to race. By including the words Black people, Person of Colour and Traveller in the curriculum, publishers would have to ensure that their content is inclusive and representative of all people in Irish society.

The Draft Primary Curriculum Framework (2020, p2) seeks to "better understand children's experiences of education in Ireland today". All 71 teachers in the Children School Lives (2020) study identified as White Irish, with 99% stating English as their first language. Most of the principals (98.5%) identified as White Irish, and all of the principals' first language was English (96.5%) or Irish. The NCCA is working with the Schools Forum for the Draft Primary Curriculum Framework and although an effort has been made to ensure that the members of the forum

reflect the rich diversity of school type, it is unlikely that the members of the forum are from the wide variety of cultural backgrounds that are represented in their schools. In order to review the curriculum effectively, marginalised groups need to be consulted in the curriculum review and redevelopment.

Post-Primary

Junior Cycle Framework

The Junior Cycle Framework, first rolled out in 2015, moves from the old curriculum framework which was largely prescriptive, to a more flexible programme which focuses instead on outcomes and key skills. There is a degree of flexibility in optioning teachers, schools and agencies the ability to design short courses and have these programmes formally recognised under student certification. Short courses must meet the indicators for either Level 2 or Level 3 on the National Framework of Qualifications (NFQ). The Level 3 courses align with the traditional Junior Certificate programme the majority of students undertake at mainstream.

Wellbeing

Wellbeing is a new area for learning at Junior Cycle and has been allocated 400 hours of teaching at Junior Cycle level. Wellbeing is usually housed under the umbrella disciplines of Social, Personal and Health Education (SPHE), Physical Education (PE) and Civic, Social and Political Education (CSPE). This area of learning aims to "make the school's culture and ethos and commitment to wellbeing visible to students… connectedness to their school and to their community" (National Council for Curriculum and Assessment, 2017, p.8). According to the guidelines, "A **rights-based approach** to wellbeing is useful as it reminds us that wellbeing matters not simply because it leads to better educational outcomes or can influence young people's outcomes as adults. Wellbeing matters in the here and now. It is important in its own right because all students have **a right to feel cared for in school**" (National Council for Curriculum and Assessment, 2017, p.10 emphasis mine).

Weare, following research on the promotion of mental, social and physical health, states that it "is vital that those who seek to promote high academic standards and those who seek to promote mental, emotional and social health realise that they are **on the same side**, and that **social and affective education can support academic learning, not simply take time away from it.** There is **overwhelming evidence** that students learn more effectively, including their academic subjects, if they are happy in their work, believe in themselves, and **feel school is supporting them**" (2000, emphasis mine).

The vision underpinning the Wellbeing curriculum is to make Ireland the best small country in the world in which to grow up and raise a family. A core principle of this vision explicitly refers to a place where ALL students have "their voices…heard" (National Council for Curriculum and Assessment, 2017, p.13). The accounts of the BIPOC of their experiences in Irish schools are concerning in light of the goal of the Wellbeing curriculum. The question must be asked: "are we creating school culture where these students feel safe, supported and have their voices heard?".

The research suggests not. The principle of Wellbeing is well-intentioned but **unless it encapsulates a programme which directly works to create full inclusion, respect and safety in schools for Black students,** then the wellbeing curriculum serves only as a box-ticking exercise and will not effect any real, positive change for this cohort. Wellbeing then is a critical entry point for a black inclusive curriculum in Irish schools.

Transition Year Framework

Transition Year bridges the Junior Cycle to Senior Cycle and is optional for most students. It offers students a more holistic experience of education and it is an opportunity to develop skills and knowledge without the pressure of a State exam and without the rigid prescriptivism of the Junior and Leaving Certificate. Its design aims to engage students in reflective practice on their learning, and to prepare them for the world of work, further and higher education and relationships with others.

Each school has the autonomy to tailor its own Transition Year programme, under specific guidelines, to the needs and interests of its students. Schools are encouraged to give students scope to engage with their local communities and to develop their own talents. Students who do participate in their local communities can be assessed by both their teachers and key stakeholders in the community work they are involved in. Transition Year is an opportunity for students to look at their subjects more holistically and the cultures and values which underpin them.

This year is an excellent entry point for work around inclusion, building knowledge on Black culture and history, and developing skills in students to participate in a respectful way on discourse around race and racism in society.

Senior Cycle Framework

The current Senior Cycle framework is under review. This review is an opportunity to galvanise the curriculum to be inclusive and address the issues with exclusion and racism in the education system. The review should be prepared to construct a shared vision for Senior Cycle arising from Junior Cycle and form a foundation to create a curriculum that genuinely supports all students and does not cater solely to the white majority. Stakeholders in education are to be consulted and we ask that a diverse mix of students, teachers and other stakeholders be consulted so that the review may pave the way to implement real change and excavate the hangover of a coded, hidden racist structure.

The NCCA has called for public consultation on how the new Senior Cycle should be developed. We ask that Black education, culture and history be directly embedded into the curriculum across all levels of education and that teacher training and resources and packs for schools be introduced and widely disseminated.

Curriculum Framework Goals across Primary and Post-Primary

With the increase of diversity in schools and the current consultation on Senior Cycle reform, it is essential that an anti-racist, actively inclusive schema that fosters intercultural education is embedded into Primary and Post-Primary frameworks across all subject areas and that those frameworks align and complement each other.

There are many different avenues which work to achieve inclusion and building representation within textbooks is one tool of inclusion that is easily utilised. Textbooks which have primarily celebrated and represented the white majority can be redesigned to also contain black inclusive illustrations as well as stories/histories from people of colour. Representation and role-modeling of BIPOC within textbooks is extremely important for minority students to identify with, for the white Irish majority student body to engage with, and to lend due credence to the achievements of people who have traditionally been underrepresented and marginalised in society. For example, efforts could be made in Science books to represent important historical figures for the field of scientific discovery who are not white.

At second level, the Black Inclusive Curriculum could be more intentionally embedded in areas such as Wellbeing, which not only has huge scope in terms of its flexibility of content at a local school level, but also has at its core the rights of the child and the goal of having each student feel cared for and supported.

While some subjects already showcase opportunities to explore, engage with and examine black and poc race and culture, there are opportunities to side-step these topics. English, for example, has a range of different texts to study at both Junior and Senior Cycle. While this element of choice is fantastic, it also allows teachers to sideline and curate. Teachers can opt out of picking texts by international writers such as Nigerian Chimimanda Ngozi Adichie (who appears on the 2021 Leaving Certificate Prescribed Text List) in favour of Irish Donal Ryan year on year. It is inevitable then that in some classrooms, proactive teachers of English actively engage with black and poc representation, race, and culture by choosing a diverse selection of texts and in others students are presented with range of authors who are entirely of the white western majority and hardly, if at all, touch on issues of race and culture within their texts. This imbalance should be addressed. There should be ample and equal opportunities to engage with these topics in every English classroom, whether that be through the prescribed text list or another aspect of the course.

There are other issues around the types of texts that have traditionally been chosen by the White Irish majority to tackle issues of race in Irish classrooms. *To Kill A Mockingbird,* for example*,* has featured heavily as a favourite in Irish classrooms for years and although it is an important canonical text, it explores the issue of race through the lens of a white child written by a white woman. This is not representative of a marginalised black community. Further issues in terms of how teachers approach teaching a text like this arise regularly. A discussion on this text and whether or not the n word should be iterated (when reading aloud in class) by the white Irish teacher on a Facebook group page for Irish teachers (Post-Primary English Teachers Ireland) in 2020 was extremely divisive and had a range of different viewpoints. The fact that there was no clear consensus on this sensitive topic showcases the fruits of the dearth of anti-bias and racial

training for teachers. This should not be a topic of debate for English teachers in Ireland. It should be extremely clear to all teachers that do not belong to the black community that the n word should not be iterated. The teaching of issues like race and culture are challenging and require education and training. In Ireland, it is left to teachers to traverse the area without any support in terms of training or guidelines issued by any teacher education body, which inevitably leads to issues like the one above.

It must be noted that choice and flexibility among texts is desirable and indeed crucial for catering to different class groups and this is not a demand to remove Irish and other white, Western writers from the prescribed text list, nor is it a demand for tokenism. Instead it is a call to review the structure of the subject and identify where representation and examination of BIPOC race and culture could be complementary and easily added in. It also asks that all English teachers be trained on approaching it within the context of their subject so that within a specific scenario, such as reading a text aloud which has the n word in it, isn't a point of contention and debate and there are clear guidelines, supports and education for teachers on these specific challenges allowing them to do the right thing.

History, similarly, focuses on the white history of the western world. At Junior Cycle level, the Celts, the Romans, Ireland, the French Revolution and the American Revolution are to the fore. There is very little exploration of the slave trade and the legacy of colonialism and the inequalities which exist today has not been interrogated. There exists an opportunity to connect the exploitation of Irish people under British rule, particularly those who were sold as indentured servants, with the black slave trade under colonialism and the fight for civil rights. The topics explored in History should be representative of all and wider in scope. It should not shy away from asking difficult questions.

In Modern Foreign Languages, there is a lot of scope to contextualise and examine how languages such as French and Spanish (two of the more popular languages studied in schools) have become so widely spoken. This is glossed over in textbooks and students are not given any understanding of how these languages came to dominate. French, for example, focuses on the teaching of French spoken in France and there is but cursory mention of the language being spoken in 30 plus countries in most textbooks. There is an opportunity to represent and showcase different countries and the origins of the influence of French there, as well as the counter-influences of the original native languages. There is a lot of scope to engage in critical thinking on identity, culture and language and how they all intersect, as well as communication.

In subjects like Music and Art, it is easy to add in focus on jazz and art history beyond the white westerner narrative. In Home Economics, different dishes from different cultures all around the world could easily be modeled and celebrated. In Geography, issues around trade, globalization and the impact on the global south could easily bring focus to understanding different cultures and communities and the effects of colonialism.

While this section outlines how the current curriculum could adopt a more inclusive approach, the examples are not exhaustive and there is a wide scope to expand in a myriad of ways within

different subject areas to be explored. This is where teacher consultation and collaboration with stakeholders such as BIPOC could have real impact in designing an inclusive approach.

<u>Teacher training and existing barriers for the minority teacher:</u>

Alongside the goal of creating a more inclusive curriculum, it is critical that teachers themselves are well equipped to carry out anti-racism work within the classroom and within their subjects. It is essential that teachers feel confident in negotiating challenging topics of discussion and creating a safe, supportive space for students to engage. This can be achieved through compulsory anti-racism training being included in initial teacher training, compulsory cpd for current practicing teachers, school resource packs, and incentivising project roll-out at a local level among students. It is also critical that minority students see themselves reflected in our teaching staff.

Unfortunately, teacher expertise is a serious concern. For example, the 120 credit teacher qualification in UCC, under the Level 9 Professional Master's of Education, designates only 2.5 credits out of 120, over the course of 2 years, to multiculturalism (UCC, 2020). In fact, multiculturalism is spliced into one module with Special Education, both of which are huge areas in education and both of which are currently under-resourced. There does not exist any additional training through either professional teacher services such as the JCT or PDST, or under the NCCA, to engage with anti-bias training. Recently, Anahita Azgharzadeh, a teacher in Ireland, established an online course ''Embracing Racial, Ethnic and Cultural Diversity in Our Schools'' with INOTE, targeting primary school teachers. There is no such alternative for secondary school teachers at present.

The profile of teachers in Ireland remains majority White Irish: "Despite Ireland being one of the most globalised countries in the world, the teaching profession remains vastly 'mono-ethnic'" (Irish Examiner, 2021). We need to work at removing the current barriers which exist for international and minority teachers in registering to teach in Ireland. It is widely accepted that registering as a teacher who trained abroad to teach in Ireland is difficult: "through narrow discourses of who can legitimately be recognised as a teacher in Ireland, migrant teachers are subjected to systematic and ongoing misrecognition"(Mc Daid and Nowlan, 2021). The recent study by McDaid and Nowlan on the migrant teacher experience highlights how arduous the process is and how that devalues the migrant teacher in comparison with the White Irish one:

"considerable time and financial resources obtaining documents and presenting them in particular ways. The significant cultural capital of many migrant teachers, in terms of their teaching qualification and related knowledge and experience, becomes devalued in the process of registration. This happens in various ways, including the higher valuing of certain subjects and subject combinations which are particular to the Irish context, and amounts to a systematic misrecognition of migrant teachers in the Irish context (Mc Daid and Nowlan, 2021, p.13).

One such teacher, ▮▮▮▮▮▮▮ a fully qualified registered teacher in the United States with a B.A., an MSc, two teaching degrees and six years of experience under her belt, met with several

obstacles. The entire process of registration eventually took 4 years. Despite final success in registration as an English teacher, her two year degree qualification in Special Education was not recognised, despite being conferred by an internationally recognized university. The process for ███ while unnecessarily challenging, was less arduous than those who attempt to register with a qualification undertaken in a language other than English. ███ has since engaged with Senator Fiona O'Laughlin who brought the issues around Teaching Council registration to the Senate in June of 2021.

Current intercultural guidelines and practical implications:

This section will outline the guidelines that are currently available. It will also lay out the findings from the research, illustrating the gap between the guidelines and their practical applications in an everyday context.

The Guidelines on Intercultural Education in the Primary School (2005) aim to "contribute to the development of Ireland as an intercultural society based on a shared sense that language, culture and ethnic diversity is valuable." This aim is divided into five main sections:

- Support the primary school curriculum in a growing ethnically diverse context and ensure that learning is accessible for all children, even those from minority ethnic groups.
- Address the needs of minority ethnic groups of children within the curriculum.
- Aiding schools and teachers in the facilitation and creation of an inclusive environment and culture.
- Raise awareness of issues that arise from an ever growing linguistic,cultural and ethnically diverse community.
- An overview of assessment in a multicultural context.

The Intercultural Education in the Post Primary School (2006) guidelines aim to see ways in which intercultural education can be integrated into the curriculum. The objectives of these guidelines are similar to the objectives above and are listed below:

- Support the post-primary curricula in making the curriculum accessible for minority ethnic groups.
- Address needs that help with the aim of accessibility of the curriculum for minority or majority ethnic groups.
- Facilitate schools and teachers in the creation of an inclusive curriculum.
- Raise awareness on issues that arise from an intercultural society.
- Provide an overview of the assessment in an intercultural context.

The definition of intercultural education according to the Intercultural Education Strategy, 2010 - 2015 (2010) is "education that respects, celebrates and recognises the normality of diversity in all areas of human life…It is education, which promotes equality and human rights challenges unfair discrimination, and promotes the values upon which equality is built."(NCCA,2006:i)

The aim of this strategy is to ensure that all students in Ireland experience education that respects the diversity of languages, traditions, values and beliefs. It also aims to assist all education providers with ensuring that intercultural inclusion and integration in the learning environment becomes the norm. The strategy's framework puts students at the center ensuring different facets of society and government contribute to the aim of an intercultural education strategy. These facets include:

- Government, DES policy and goals
- Legislation
- Funding
- Qualifications and framework
- Curricula and pedagogy
- Capacity building
- Awareness raising
- Research, evaluation and feedback.

The aims of the Diversity, Equality and Inclusion Charter and Guidelines for Early Childhood Care and Education are to support all practitioners in the early childcare and education sector to understand, develop and apply strategies that promote equality and inclusion, and through this create and foster an inclusive curriculum where all young children can reach their full potential. The objectives include:

- Raise awareness about diversity,equality and inclusion.
- Provide tools for practitioners to deal with issues such as discrimnation and bias.
- Introduce anti-bias training, practice and approach to early childhood services.
- Encourage practitioners within the sector to advocate for diversity, equality and inclusion for all children and their family.
- Challenge internal biases and attitudes that may affect practices.
- Initiate and engage in conversations about bias and discriminations, how it affects children and families.

Existing projects for teaching about Black culture and history and how it is incorporated into curricular subjects and school life:

The Yellow Flag Programme

While the Yellow Flag Programme is a fantastic initiative which works to develop intercultural education and awareness in schools, it has significant limitations hampering its success, one of which is regional funding. It is not accessible for all schools that require it and is limited to a small number of schools in particular regions.

Anti-bias and anti-racism teacher preparation and guidance for schools:

In this section we will take a look at what anti-racism, anti-bias or intercultural training are offered to teachers. We will also take a look at the Initial Teacher Education, the Continuing Professional Development that are offered to teachers and commentary from any other organisations in this area.

In November 2020, the Teaching Council published their newly reviewed "Criteria and Guidelines" for the Initial Teacher Education (ITE) – *CÉIM.* One of the core elements in CÉIM is Inclusive Education which includes the areas of intercultural, anti-racism and diversity. Student teachers must show demonstrable understanding of Inclusive Education during their placements. It has been anticipated that these programme requirements and guidelines will commence in September 2022. (Minister for Education Deputy, Norma Foley).

Teacher's Continuing professional development is overseen by the Teaching Council, which is the professional body who regulate, promote and oversee the profession. Presently, teachers have complete autonomy of the CPDs they receive, which means it is up to the teachers and school whether they engage in areas such as Inclusive Education. In a report "*Policy on the Continuum of Teacher Education"* published by the Teaching Council in 2011, the Teaching Council stated that "The identification of priorities and the effective implementation of quality professional development requires ongoing collaboration between the stakeholders in education". The Teaching Council (2020).

 Members of minority communities and charities have developed and are offering Inclusive Education programmes for teachers and schools. Such Programmes include "Yellow Flag Programme" which is run by the Traveller community, the "Show racism the Red card" which is a charity who deliver inclusive education programmes in schools (since March 2021, this project is under the management of Immigrant Council of Ireland) and Educate together schools, which are equality-based primary and secondary schools run by the charity. The Immigrant Council of Ireland and Lir Training Ireland are two noticeable organisations who are actively working on anti-racism for all facets of society including teachers and schools.

A few articles have been written recently calling for compulsory anti-racism teaching, one such article was a Newstalk article by ███████████ where ███████████ was interviewed and she stated that "One of the things we say is whoever controls the narrative of the past, they control what is happening today and they control the future. It is evident that a reframing of the curriculum is overdue." ████████ also states that we must "remember that our education system really teaches us how to view people, how to respond to them, or what position they occupy in our history." She also reflects that many young people, during the black lives matter protests, divulged on social media the fact that the racism they experienced began from primary and secondary school. In another article by Irish Times, education editor ███████ interviewed French teacher ███████████ who reflected on the fact that there is "is a racism problem in Irish schools but not just Ireland, it's everywhere. It's across all of society,". ████████ further reflected on the point that many black irish students are discouraged from teaching by their families as they believe it is not a profession for them.

III.   Research

Methodology:

A survey was conducted in order to elicit information from students of the Irish education system regarding their experiences in school, specifically in relation to the curriculum and any racist incidents they may have encountered or witnessed. This survey was posted on a variety of social media platforms, including Instagram, Facebook, and LinkedIn in March-April 2021, as an invitation to participate in research focused on creating a Black Inclusive Curriculum for Irish students. Questions asked included demographic information (i.e. age, gender, ethnicity) as well as focused questions regarding the participants' views on the Irish curriculum and their experiences of racism in school.

Survey Participant Info**:**
Number of survey participants: 169
Ethnic makeup of participants: 66.4% White, 24.4% Black, 9.5% Mixed Race or other POC
Gender makeup of participants: 79.2% Female, 20.2% Male, 06.% Non-binary
Ages of participants: 58% over the age of 24, 29.6% between the ages of 18 and 24, 12.4% under the age of 18

In addition, as part of the survey, participants were asked if they would like to volunteer for focus groups related to this research. Eight focus groups were conducted with participants from a variety of ethnic backgrounds, all of whom were 18 years or older. These meetings were recorded via Zoom and participants consented to participate in the recordings for research purposes only.

Focus group participant info**:**
Number of focus group participants: 25
Ethnic makeup of participants: 14 White, 9 Black, 2 Mixed Race

Results & Discussion:

Survey Questions**:**

1. In response to the question "Do you feel Black people are adequately represented in the curriculum?," 5.3% of those participants who reported to be People of Colour (POC) said Yes and 94.7% said No. Participants who identified as being White responded to the same question with 2.7% saying Yes and 97.3% saying No.
2. In response to the question, "Have you ever seen anyone that looks like you in your school textbooks?," 20% of the responders identifying as POC said Yes and 80% said No, while their White counterparts had 94.5% saying Yes and 5.5% saying No.
3. In response to the question, "Do you think you would have benefited from a curriculum that represented Black people in a positive manner?," 96.4% of POC said Yes and only 3.6% said No. White participants agreed with their POC counterparts, with 96.5% saying Yes and only 3.5% saying No.

4. In response to the question, "Have you experienced any form of racism at school?," overwhelmingly, the responses from POC were 94.3% saying Yes and only 5.7% reporting that they had not experienced racism in school. Interestingly, White responses included 16.8% saying Yes and an overwhelming 83.2% saying No.
5. In response to the question, "Who have you experienced racism from?," of those survey participants who reported as being a person of colour, 29 responses said that they experienced racism from students, 7 stated they experienced it from teachers, and 19 stated that they experienced racism from all members of the school community. Of the 57 respondents who self-reported to be POC, only two stated that they had never experienced any kind of racism in school. Most non-POC responses stated that while they never experienced racism from school staff, some did cite some form of racism from students and thirteen stated that they witnessed racism from students and teachers being directed at others.
6. In response to the question, "Were your teachers able to sufficiently deal with racism that you have experienced or witnessed?," the responses from POC were 89.1% No and only 5.5% said Yes, with 5.5% stating that they never experienced racism in their school. Their White counterparts responded with 55.9% saying No, 6.3% Yes, and 37.8% stated that they never experienced racism in their school.
7. In response to the question, "Have you ever been taught by a teacher who was not ethnically Irish?," 62 participants said Yes and 107 said No.
8. In response to the statement, "I believe if teachers received racial bias training, it would be easier to tackle racism in schools," 93% of POC agreed and only 7% disagreed while 97.3% of White participants also agreed and only 2.7% disagreed.
9. In response to the question, "Do you believe that if the curriculum was Black-inclusive, racism would be less of an issue in schools?," 86% of POC said Yes and 14% said No and 96.4% of White participants said Yes and only 3.6% said No.

Focus Group Questions:
1. Besides slavery and the civil rights movement, were you introduced to any other aspects of Black History?

Focus participants of all ethnic backgrounds and ages (people who went to school from the 19602-2000s) agreed that there was very little talk about Black History in their school experiences. Most cited that their teachers had little-to-no knowledge about topics to do with race in general; most of what they were able to share came from personal stories, rather than based on the curriculum. Participants stated that the senior cycle was very prescriptive and some learning materials, such as books, seemed outdated and not reflective of the world right today.

2. What other subjects included Black stories?

In regards to the question relating to subjects that may have included Black stories in the curriculum, participants agreed that the only time they remembered race, and specifically Black people, being spoken about was in a negative light, i.e. in books like *Of Mice and Men* in English class. Another instance of the portrayal of Black people was through charity initiatives such as Trocaire boxes, which often led to the ridiculing of Black students. Participants cited that there was very little literature taught by Black authors centering on Black stories. There was a general consensus that teachers did not have the training or the freedom to be flexible in the curriculum

and add other books. The focus group participants overwhelmingly agreed that the curriculum needs to be diversified. Interestingly, participants who were educated in the UK stated that they had more options to explore texts that centered on Black voices. One example given was Chimamanda Ngozi Adichie's novel, *Purple Hibiscus*. Suggestions were made that it might be helpful to add diverse texts and subject matter to the curricula of English, CSPE and SPHE courses.

3. Did the limitation of your learning of Black History (slavery and the civil rights movement) affect your view of yourself, your mental health, or how you interacted with the world?

One of the most common themes around the question of the impact of a limited curriculum on participants' mental health was the effect Trocaire box campaigns had on all of the participants. A few comments were made that Trocaire boxes affected the way they saw themselves, while another comment was made that there was a lot of ignorance surrounding Trocaire boxes and other charities. In addition to charity initiatives such as Traocaire, missionary trips to Africa perpetuated the false view that Africa is helpless and that there is a need for unqualified people to enter different countries and in order to set up orphanages and other such services. Participants agreed that there seemed to be no real understanding of different cultures or people in regards to the knowledge of school staff, which includes understanding the dialects of different cultures. This limitation was particularly present in Gaelscoils, where only Irish culture is represented. The fact that there were no positive Black stories taught in school made some participants want to "erase that part of (yourself)" and ruined their self-esteem. Participants also stated that due to the fact that there were very few teachers who were not Irish or People of Colour, the field of representation was limited, which meant that there were limited role models to look up to. A particularly difficult experience that was cited in several of the groups by several participants was being the only Black person in a classroom while reading *Of Mice and Men* and listening to teachers and students read the N-word aloud, as it appears in the text.

4. Did you experience any type of racism? *(Link to survey questions 4, 5, 6)*

When participants were asked about experiencing racism in schools, one of the recurring themes around this question was that people experienced subtle and covert racism such as having students and teachers touch their hair, being told that they "smelled," comparisons to Oreos and animals, mixed students being called "Indians," and students saying the N-words and dressing up as their favourite rappers in blackface. These were seen as bullying rather than racist acts. Black focus group participants recalled that they were more likely to be put into lower achieving class groups due to failure of the entrance exam, which was often based on one learning ability. They also reported receiving lower scores than their white counterparts and that teachers offered English language support classes. Those participants that identified as being the only Black person in their school cited that they were viewed as the "spokesperson" for Black literature/items. They also reported instances of being asked to showcase their "real" culture despite being born in Dublin and feeling hypervisible, i.e. always the one getting detention. Another common theme was that due to a lack of anti-racism training teachers did not know how to adequately react to racism and situations that arose in school.

5. What would a Black Inclusive curriculum look like to you?

Generally, focus group participants mentioned the need for an inclusion of Black history in the History curriculum, and that the subjects that are included are not just negative depictions of the struggles of Black people throughout history. One participant mentioned that there is a large gap in the Irish History curriculum and that there are opportunities for links to be made between the

Irish experience and the Black experience. Several participants cited opportunities for Black authors to be added to the English curriculum, and not just in the context of slavery. In addition to a more inclusive curriculum, it was suggested that the books and presentations given by teachers should be more inclusive, i.e. visually display characters and images of people who are of a variety of ethnic backgrounds. Participants of all races agreed that the teaching staff in Ireland needs to become more diverse. This was mentioned in terms of representation and that role models are important for children to look up to. A recurring theme in response to almost all of the questions asked was that teachers all need to receive anti-racism training in order to appropriately handle any incidents that may arise in school. There was also a concept of "the Irish are innocent of everything" that was cited by one participant and that this idea held by teachers is not helpful in regards to combating racism as it does not foster tolerance. Participants agreed that in addition to an overhaul of the curriculum to include more diverse subjects, social issues and anti-racism need to be explicitly taught in schools, beginning in primary school.

6.   In what way would a Black Inclusive curriculum minimise racism and the effects of it?
One common theme that emerged from the focus groups is that a Black inclusive curriculum will diversify the way people think because by the time students go full into society they will have gained a very balanced view. It will also give people different perspectives, i.e. educating people on overseas volunteering. Dublin may be more diverse and multicultural but this is not the case in rural Ireland. Participants stated that there is a large number of people from diverse backgrounds who can get involved to educate children in these regions. A suggestion was made that perhaps the local community and parents could get more involved and have members of the community come in and teach students about their experiences. Participants agreed that when students are exposed from a young age to multicultural experiences, then there is a chance that these children will be less ignorant and be less likely to make comments that are either intentionally or unintentionally racist in nature. One participant made a comment that suggested that the single gender schools in Ireland, and the separation of denominational and non-denominational, has led to less diverse environments in schools. Participants commented on the fact that a Black inclusive curriculum will increase the number of role models for students and that showcasing Black people will allow younger people to see what they can achieve. Another theme that emerged was the importance of anti-racism training for teachers. Participants agreed that making teachers aware that racism is happening in classrooms will help to minimise it. Another benefit from such training may be the fostering of better relationships between teachers and students and the provision of a richer learning environment, thus creating a safe place for having discussion around race and building a strong and progressive foundation. An observation was made that gaslighting will only be stopped if people are educated about anti-racism. If there are more Black inclusive stories introduced into the curriculum, it would help people understand that Black people are not just the "bottom of the barrel." Schools should show Black people all around who are successful. If the curriculum is more open, Black students may be able to share their experiences and engage in more open and honest conversation with their teachers and with their peers. Most of the racist incidents witnessed by participants came from students trying to fit in and then crossing the line into racism.

IV. Conclusion & Recommendations:

While there has been much recognition of the need for multicultural and inclusive educational opportunities for students in Ireland in publications such as the Intercultural Guidelines for Primary and Post Primary Schools, little has been done to actually incorporate truly inclusive practices into school life. The negative psychological effects of a lack of representation in curriculum and amongst teaching staff is well documented and is supported by our survey and focus group data. Black culture is not currently represented in the Primary or Post-Primary curriculum, although there are plenty of opportunities to incorporate not only Black culture, but a variety of cultures in order to produce a multicultural and inclusive curriculum. There is currently no requirement for teachers to engage in anti-bias or anti-racism training, despite a current trend in other industry sectors to incorporate mandatory training for employees.

It is our recommendation that a full curriculum audit from early childhood through Leaving Certificate be conducted so that a full redesign can be carried out. We ask that Black history and literature specifically be incorporated into the curriculum for all students and efforts be made to incorporate a multicultural lens in all aspects of school curriculum. By including a diverse range of voices and texts, Irish students of all ethnic backgrounds will benefit from representation and will develop a healthy understanding of the global population.

We also recommend that anti-racism modules should be included in courses such as Wellbeing for all age groups. Educator members of the Bray for Love group have created anti-racism workshops for all age groups that might be useful in considering modules that can be added to existing curricula in the short term. By teaching children from a very young age about racism and how to be anti-racist, the children of Ireland will grow up to be more accepting of differences and will eventually eradicate systemic racist structures that currently exist in our country.

In addition, all teachers in Ireland should be required to undergo anti-bias and anti-racism training. One example of such training are the workshops created by the Education Coordinator of Black and Irish, who will be delivering workshops and seminars to the staff in the Dublin and Dun Laoghaire ETB in the new school year. Similarly, ███████████████ online course with ████ works to address this. It is the goal and vision of the Black Inclusive Curriculum group to address teacher training and produce toolkits and resources for teachers to use. The appetite for change is here. It is clear there is movement on the ground from passionate teachers to work towards developing resources for teachers around this. Training such as this should be incorporated into all teacher preparation courses so that teachers will enter the workforce aware of unconscious bias and the roots of systemic racism. They will be empowered to approach their classrooms with a more inclusive lens. If teachers are aware of and comfortable with understanding bias and racism, they will be better equipped to meet the demands of the increasingly multicultural Irish classroom and ultimately be more open to including more inclusive practices and curricula in their teaching.

Efforts should be made by The Teaching Council and all teaching preparation colleges to diversify their teacher entrant profile and become more inclusive. Currently, the practices of The Teaching Council weigh heavily in the favour of Irish educated teachers and discriminate against teachers

from other countries, effectively diminishing additional opportunities for a more diverse national teaching staff. If minority students are taught by a diverse group of teachers, they will see themselves represented in successful careers and ultimately experience more confidence throughout their school years. By making space for teachers educated in other countries and incorporating viewpoints from a diverse range of cultures this will also allow for more openness when introducing new texts and topics into the curriculum.

It is our hope that efforts to create a Black Inclusive Curriculum will benefit all students, not just those who identify as Black or People of Colour. By creating space for all identities in the Irish classroom, Irish students will be prepared to enter the global workforce as conscious and empathetic individuals who will work towards a more balanced global society.

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VI.   Appendices:

Additional Charts and graphs?

Who is Bray For Love?

A local anti racist group that set up as a response to hundreds of pieces of racist graffiti in the Town of Bray and online fake news that is racist in nature being spread about the Town of Bray.

What issues has Bray For Love come across

• Hundreds of pieces of graffiti in the town of Bray over a year

• Graffiti with messages that were; racist, homophobic, misogynist, linked to far right conspiracies e.g. Q Anon, Denying Covid, Anti Lockdown, Anti Mask

• Graffiti attacking and targeting 2 named individuals in the town of Bray

• Graffiti calling 2 named politicians who are out as gay, paedophiles

• Criminal incidents allegedly targeting People of Colour in the Town of Bray (because they spoke out against the graffiti)

• Racist rumours about alleged criminality in the town of Bray spread on social media through rumours using facebook, telegram and other websites (confirmed by Gardai mostly untrue). These posts going viral and spreading thousands of times

• Racist rumours about alleged criminality by residents of a temporary direct provision centre in the Town of Bray (confirmed by Gardai mostly untrue)

• A prominent far right agitator encouraging vigilante style community patrols of the town of Bray

• Facebook groups set spreading false racist rumours about crime in Bray

• Families reporting continuous targeted harassment based on nationality/ethnicity and also disability

• An unclear issue of reporting Hate Crime; Gardai not taking reports seriously

• A lack of clarity on reporting: Is graffiti Hate Crime? Can anyone report a Hate Crime? Is social media discussion a hate crime? Who can report hate crimes in situations of online criminal hate speech

• A direct provision centre that is temporary in nature and little initial effort by authorities to provide public services to residents there

Bray For Love recommendations on the National Plan Against Racism

- The plan must incorporate tackling radicalisation/extremism particularly in the online sphere. We consider this extremely important.

- The plan should recommend that all Local authorities create anti rumours strategies in their municipalities (see Council of Europe [Anti-rumours (coe.int)](coe.int))

- The plan must have a clear emphasis on combating hate speech online and should propose regulation in this area

- The plan must look at improving the resources of the Garda National Diversity & Integration Unit

- The plan must look at ensuring that all Gardai have training on dealing with victims of racism

- There must be clearer pathways for individuals reporting criminal hate speech published online

- Pulse Records and Statistics on reports of Hate crime and Hate speech must be published annually by An Garda Siochana

- Training all members of An Garda Siochana on how to respond to victims of hate crime sensitively

- All schools to be mandated to have anti racism and integration plans

- All sports clubs to focus on inclusion and integration policies

BRIDGE, Galway City Partnership

Background:

The BRIDGE Project (Building a Receptive and Integrated Galway of Equals) is coordinated by **Galway City Partnership** and funded under the Asylum, Migration and Integration Fund (AMIF) and supported by the Children Equality Disability Integration and Youth and funding partners and funding partners.

The focus of the poject is to promote the effective delivery of reception and integration supports (including advocacy and capacity building interventions) to asylum seekers and third country nationals living in Galway City and County.

Context:
- Galway City is the most multi-cultural city in the country approximately 19% of the population are non-Irish nationals.
- Currently in Galway City there are two direct provision centres, one self-catering centre and one emergency centre with approximately 400 asylum seekers, around 120 children.

This submission was informed by consultation with migrants living in Galway and the issues that have presented themselves to BRIDGE and Galway City Partnership over the years.

Submission

Local consultation indicated migrants felt research fatigue. Communities are tired of feeding into policies, plans (Integration / Anti- Racism plans) and not seeing tangible differences.

Employment:

Visible diversity in the work force especially public service sectors; Councils, Intro Office, Post office etc. e.g., Positive discrimination. "*I want to go into housing in city council and see some who looks like me*"

Mandatory Cultural Competency and Anti-Discrimination Training for all public sector employees. This needs to be of a high standard delivered by relevant stake holders. "*The training should be like manual handling, embedded in the organization but the quality is also important not just a tick box exercise*"

Policy:

A commitment to Anti-Racism and Intercultural supports. Communities had concerns of what they saw as the '*stop/start*' nature of government action at both a national and local level.

Eg Disbanding NCCRI / Establishing an office for Minister for Integration, abolishing this ministership. / Establishing the Galway City Intercultural Forum with a coordinator as action in the City's Anti Racism strategy and then pulling it because of funding. / The European funded projects which will establish specialised supports for a period and then stop and supports are pulled. Galway Refugee Support Group closed in 2012 and there wasn't another specialised support group until the European funded SOLAS in 2015 which closed in 2016 then BRIDGE also a European funded started in 2018 and is due to close in 2022.

Law:

Enact legislation in relation to Hate Speech.

Social Media

- Apply penalties to social media platforms that fail to react in a timely fashion about complaints about racism.
- Apply same laws to social media as to print /radio and TV when sharing stories.

Properly resourced access to legal advice for International Protection Applicants

Proper access to GNIB for support workers, information is only available through the website with little or no opportunity to ask questions get clarification.

Information:

Accessible information for public services with clear steps. This is more than translations ensuring information given is clear.

Towards a National Action Plan Against Racism for Ireland - Public Consultation 2021

Submission from Cairde

About Cairde

Cairde is a non-governmental organisation working to reduce health inequalities among ethnic minorities and supports the participation of minority communities in enhancing their health. Cairde works through a rights-based approach, believing that the absence of equality and respect for human rights is correlated to the existence of health inequalities. Cairde operates two Health Information and Advocacy Centres, one located in Dublin's North Inner City and the other located in Balbriggan, Co. Dublin.

Note on the submission

This submission was prepared by Cairde's Roma Project and as such, draws primarily on the Roma experiences of racism in Ireland. Since 2010, Cairde has been providing information and advocacy to a significant and increasing number of Roma families and individuals in Dublin, Balbriggan, and nationally. From March 2020, Cairde has been running the National Roma Infoline to support Roma impacted by the COVID-19 pandemic in Ireland. The following submission draws on data from two of Cairde's publications on Roma in Ireland: Proiectos Romano: A study of Roma communities in Balbriggan (2016) and The National Roma Infoline: A Response to COVID-19, Annual Report 2020 (2021), and both of these reports can be accessed for more in depth analysis in relation to Roma issues and racism. In Cairde's Proiectos Romano report, 79% of respondents stated that they have been victims of several forms of racism and discrimination since they moved to Ireland.While this submission focuses on Roma experiences of racism in Ireland, many of the issues are experienced by various minority ethnic groups in the country and the proposed recommendations should be considered with this in mind.

Definition of Antigypsyism

"Antigypsyism is a historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms, and incorporates:

1. a homogenizing and essentializing perception and description of these groups;
2. the attribution of specific characteristics to them;
3. discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages."

-Working definition of antigypsyism by The Alliance Against Antigypsyism[1]

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[1]Alliance Against Antigypsyism 2017, 'Antigypsyism – A Reference Paper', Alliance Against Antigypsyism, viewed 25th April

Theme 1: Access to justice

In 2020, a study by An Garda Síochána that found almost 75% of frontline members surveyed had poor opinions of the Roma community, "You'd spot them a mile off and they're always up to no good," one frontline garda said of Roma.[2] In Cairde's 2016 report Proiectos Romano, 90% of respondents stated they do not report any racist experiences to the gardaí. There are many reasons for this, the most common being 'afraid of having problems/ not wanting to have issues with the people reported' (35%). Secondly, language barrier is a significant deterrent, as not being able to speak English fluently represents an obstacle in approaching the gardaí (22%). The third major reason mentioned was a lack of trust in An Garda Síochána (17%). Roma respondents reported that they had been verbally abused by police/gardaí both while living in Ireland and prior to moving to Ireland. Consequently, they did not see any value of reporting racist incidents to the authorities. There is also a widespread sentiment among Roma that even if they did report racist incidents, nothing would change. This is very worrying and one of the reasons why hate crime legislation is urgently needed in Ireland.

Frontline services such as NGOs working with minority ethnic groups in Ireland need to be adequately resourced to inform their clients on their rights and entitlements and guide them through relevant systems and procedures. Unfortunately, when primary needs such as food and shelter need to be urgently addressed, NGO workers often do not have the time and resources to address racism with their clients, for example to explain and support them through INAR's iReport, Workplace Relations Commission procedures, free legal aid, accompanying clients to make statements to the gardaí, and other available supports. Free access to mental health supports for victims of racism would be also beneficial and should be available in several languages. Additionally, a free legal clinic for victims of racism would be helpful in supporting victims and taking cases where possible. This could be modelled on Flac's Roma clinic.

Across all levels of the justice system and relevant statutory bodies, including law enforcement, anti-racism training that addresses antigypsyism should be implemented, alongside systems and procedures that respect cultural diversity. Additionally, hiring practices in the justice system should aim to reflect the diversity of Ireland's population.

Theme 2: All forms of media and communications, including new technologies

Monitoring racist comments on social media and news articles is an important step in addressing racism online. It is vital that when monitoring comments, social media companies have an in-depth understanding of the local context so they are able to identify racist comments. As many people are now aware of certain word/slurs that will be flagged on

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2021,https://secureservercdn.net/192.169.221.188/abv.a52.myftpupload.com/wp-content/uploads/2017/07/Antigypsyism-reference-paper-16.06.2017.pdf, p.5

[2]Conor Gallagher 2020, 'Gardaí have negative view of Travellers, survey finds', The Irish Times, 20th August, viewed 13th July 2021,
https://www.irishtimes.com/news/crime-and-law/garda%C3%AD-have-negative-view-of-travellers-survey-finds-1.4334274

social media, comments can be made that are racist in nature but may not be flagged if particular slurs aren't used.

There are numerous challenges and opportunities in the use of new technologies to address racism. While negative comments and misinformation about minority ethnic groups can be spread at rapid pace, usually without consequence, social media can also be a space to address misconceptions and fight stereotypes. Additionally, social media has been a useful tool in mobilising communities and organising anti-racism rallies and events, both online and in-person. When compared to traditional media that often lacks diversity, new technologies can provide a space where minority groups can speak out publicly on issues affecting their communities that may otherwise not receive mainstream media attention. Going forward, it would be valuable for social media and other tech companies to consult with communities affected by racism, to ensure their online platforms can be safe and respectful environments for all.

Broadcast media in Ireland has an important role to play in the representation of minority ethnic communities and the amplification of diverse voices. All levels of broadcast media should be more representative and include a range of contributors from different communities in Ireland, including television and radio. This not only involves providing a platform for a variety of voices, but also ensuring diversity in hiring across all aspects of media production.

Throughout the media, non-Irish nationality is often mentioned in articles reporting on crime or court proceedings which can fuel racist stereotypes about certain groups being associated with criminality or anti-social behaviour. At the beginning of the pandemic, RTE published an article with the headline: 'First person charged with violating virus restrictions', this included the person's full name and address, a close-up high-quality photo of them, and mentioned they were originally from Romania. When reporting on such issues, it would be valuable for Irish broadcasters to consider how many of these identifying details are in the public interest, and the potential negative impact some media reporting has on minority ethnic communities in Ireland.

Theme 3: Employment, education, health, and accommodation

Employment
The unemployment rate among respondents to the Proiectos Romano study was very high, with 90% stating they are in receipt of a social welfare payment. The most frequent obstacles that prevented respondents finding employment in Ireland are: language (73%), racism (33%), and childcare expenses (30%). These reasons were also mentioned as barriers to accessing training and education courses. As with other minority ethnic groups in Ireland, Roma have experienced racism when trying to apply for jobs. For example, in 2019 Flac settled a discrimination complaint on behalf of a Roma woman who was refused employment for wearing a traditional Roma skirt.[3]

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[3]Flac 2019, 'Annual Report 2019', Flac, viewed 13th July 2021,https://www.flac.ie/assets/files/pdf/flac_ar_hr.pdf?issuusl=ignore, p. 21

To create more job opportunities for Roma and other minority ethnic groups in Ireland, it would be beneficial for the public sector to implement a quota to ensure diversity is reflected in all levels of public services. Additionally, anti-racism training through all sectors of employment could help to raise awareness and understanding of respecting diversity.

Education

In order to address racism in the education sector, it would be useful to incorporate a diverse range of lessons focused on the history and culture of various groups, including Roma in school curricula. English classes should be available to all new school students from a non-English speaking background to ensure they can fully participate in their education. Additionally, uniforms, books and other necessary school supplies should be freely available to parents who cannot afford to pay for them, especially when parents are unemployed and are not in receipt of any social welfare payments. Cairde is aware of Roma families who find it very difficult to enrol their children in schools and it would be useful for NGOs to be able to access a list of schools which have available spaces for students. Additionally, many Roma are not aware of the processes in place if they have been refused admission to a school, e.g. provisions under the Education (Admission to Schools) Act 2018. In order to further support Roma families access to education, it is vital that schools have access to translation services and cultural mediators. Children are usually left translating school messages if their parents are illiterate and/or do not speak English which is inappropriate and impedes inclusion to the school community.

With regards to formal education, Proiectos Romano reveals that the levels of both literacy and English language competence is very low among Roma respondents and proves the immediate need for the provision of literacy classes for non-English native speakers and also the provision of English language classes. Through the analysis of the data, it is clear that the provision of English classes is the first step towards studying other subjects, to accessing services and the labour market and towards integration as a whole. The accessibility of English classes and other courses in general is also further hindered by the racism that is frequently experienced by Roma people from both teachers and other students. This issue represents a significant barrier and cannot be ignored. 77% of the respondents state that language represents a barrier when it comes to accessing health services, finding employment, and formally reporting racist incidents. Data also shows that the vast majority of respondents would like to return to study; this strongly suggests that they would welcome the provision of classes. However, classes should not simply be provided, but delivered in a way that can meet participants' needs. For example childcare should be kept in mind when providing courses to students who are also parents. Courses should be designed and delivered in collaboration with local Roma organisations. Furthermore, data reveals that there is a wide range of expertise among the respondents ranging from music, construction and sales. This expertise should be recognised by nuanced schemes that would promote and encourage their use which will be beneficial for society as whole.

Health

Proiectos Romano found that for 77% of respondents, language presents a barrier when it comes to accessing health services, and 86% of respondents would like the help of an interpreter. Additionally, 96% of Roma surveyed said they would like to communicate with

healthcare practitioners in a language other than English, and their experience is that such interpreting services have not been routinely available to them. In 2020, 18.1% of calls to the National Roma Infoline were regarding translation/mediation queries.

In the context of the COVID-19 pandemic, due to language, literacy, and financial barriers in availing of GP services, it was difficult for many Roma to access accurate and reliable information on the virus. The pandemic has had a disproportionate impact on Roma in Ireland and has highlighted the difficulties Roma face in accessing mainstream healthcare and having their most basic and urgent needs met. Moreover, the pandemic has also highlighted the mistrust many Roma have towards the health system due to longstanding racism and discrimination experienced by Roma across Europe. Cairde has welcomed the support of the HSE in funding the National Roma Infoline in response to these issues. The Infoline has made a significant impact in bridging the gap between service providers, healthcare workers, and Roma across Ireland.

The following recommendations are taken from Cairde's 2021 publication *The National Roma Infoline: Response to COVID-19, Annual Report 2020*:

- Interpretation services should be used systematically across all health services for Roma patients who do not speak English fluently. The Department of Health should consider making funding available for interpretation services.
- Due to the health inequalities experienced by Roma, the Department of Health and the HSE should consider removing certain qualifying criteria, such as proof of income and proof of rent, when Roma apply for a medical card but cannot meet these requirements.
- Health application forms should be available in languages other than English and Irish, including the languages commonly spoken by Roma in Ireland: Romanian, Czech, and Slovak, among others.
- Ethnic data should be collected consistently across all health services in Ireland.
- Anti-racism training that addresses antigypsyism should be implemented across relevant health services as well as systems and procedures that respect cultural diversity.

Accommodation

In 2020, 62% of calls received by the National Roma Infoline were regarding Roma who were homeless, including Roma who were sleeping rough, living in overcrowded accommodation, and emergency accommodation.

For many Roma, as well as other ethnic minority groups, the 41/2021 Housing Circular has had a negative impact as one of the qualifying criteria is employment. As the unemployment rate is extremely high among Roma communities in Ireland, many Roma do not meet this requirement and are systematically excluded from the social housing support system. Consequently, Roma are heavily relying on the private rental market when looking for accommodation. It is difficult for Roma to find accommodation through the rental market and, if they are on the local authority housing list, to avail of schemes such as Homeless HAP/HAP due to the prohibiting prices and the issues of antigypsyism and discrimination.

The following recommendations are taken from Cairde's 2021 publication *The National Roma Infoline: Response to COVID-19, Annual Report 2020:*

- Interpretation services should be used across all housing services for Roma who do not speak English fluently.
- Housing application forms should be available in languages other than English and Irish, including the languages commonly spoken by Roma in Ireland: Romanian, Czech, and Slovak, among others.
- The Department of Housing, Planning, Community and Local Government should introduce actions on Roma and accommodation to NTRIS as a matter of urgency. These actions should be drafted in conjunction with organisations working on Roma issues.
- The Department of Housing, Planning, Community and Local Government should introduce an ethnic identifier across all their services in order to assess current policy and to develop more targeted policy measures going forward.
- The Department of Housing, Planning, Community and Local Government should ensure that the provision of emergency accommodation is not dependent on the result of a social housing support assessment.
- The Department of Housing, Planning, Community, and Local Government should review the 41/2012 Housing Circular and consider removing some of the qualifying criteria that are excluding Roma from accessing social housing when needed.
- Anti-racism training that addresses antigypsyism should be implemented across relevant housing and accommodation services as well as systems and procedures that respect cultural diversity.

Theme 4: Inclusion and participation

In order to better support social inclusion and participation of under-represented and disadvantaged groups certain qualifying criteria that are required to meet even the most basic needs must be revised. The impact of the Habitual Residence Condition (HRC) and the 41/2021 Housing Circular on accessing social welfare and housing respectively, are examples of these barriers. To create a more inclusive society not only requires anti-racism training but also the removal of these obstacles that significantly impact minority ethnic groups in Ireland.

Regular consultations with NGOs and people affected by systemic racism would help to ensure public policy takes account of the experiences of racialised communities in Ireland. Moreover, there are a number of reports from several NGOs that highlight the barriers faced by ethnic minority groups in Ireland. If these recommendations were taken seriously and implemented effectively, there is potential for real and significant change.

Conclusion

The most significant issues faced by minorities in Ireland are a lack of access to services because of qualifying criteria that it is very difficult for certain groups, particularly new arrivals, to meet. The introduction of an ethnic identifier could address the gaps in data gathering and could show if and how the aforementioned criteria have a systematic impact on minority ethnic groups. In order to measure how well the National Action Plan Against

Racism is working, a longitudinal study may be beneficial in illustrating whether, after making much needed changes, the levels of unemployment, homelessness and social exclusion among minority ethnic groups have remained or have been reduced. While the Action Plan will cover many issues the two issues that need to be prioritised for early action are access to housing and social welfare. It is vital that organisations and individuals who represent the communities affected by racism in Ireland should be involved in both the implementation and monitoring actions recommended in the Plan. Particular attention should be given to ensuring the experiences of women from minority ethnic groups are listened to and addressed as they often face double discrimination, both as women, and due to their ethnicity. For example, Roma women are often more publicly identifiable due to their so called 'traditional clothes' and consequently are highly discriminated against.

For more information please contact:

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National Action Plan Against Racism
Submission on Behalf of

CaliberAI

Introduction

Without doubt, the single most efficient 'spreader' of racist hate -speech and harm - speech is social media, with the great majority of the global internet community connected across fewer than half a dozen platforms. This is plain to see in the Irish Network Against Racism's (INAR) 2020 report, illustrated below.[1]
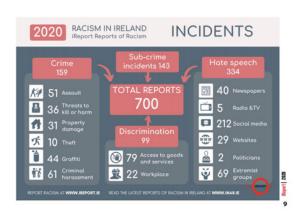
Other media, such as print or broadcast, are less significant here by virtue of the very top-down nature of those mediums. They may originate content which, often misrepresented, is amplified many times on social media. Inaccurate or inflammatory

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[1] Figure 1: INAR 2020 Report

newspaper reports of an incident of racist behaviour, or a harmful racial stereotyping, for example, will be passed on to multiple readerships and perhaps spread globally.

[The United Nations' Sustainable Development Goals](#) specifically identifies hate-speech, including racist speech, as a cause of conflict, war, social disorder, forced migration and exploitation of vulnerable groups. At the same time, the protection of such vulnerable groups in the digital sphere has been identified by the [SDG (Goal 16)](#) as a priority.

Elimination or even mitigation of hate-speech in this sphere is a challenge that has, so far, proven mostly elusive. Social media companies purport to have no legal liability for content, arguing that they are passive conduits, analogous to communications utilities, which cannot be held accountable for what people say on the telephone.

This self-exculpatory position is proving increasingly untenable and it is now clear that it will be modified and diluted in both national and international law. This is also likely to happen sooner than many think. Canada, Australia, New Zealand, The United Kingdom and Ireland, as well as the European Union, have introduced, or are in the process of introducing, legislation broadly designed to create a 'duty of care' for internet platforms. Thus far, the response of most social media companies has been threefold; incrementally increase the numbers of 'content moderators' in their ranks, augment this function through the provision of digital tools to help them more effectively manage the challenge of harmful content at scale and vigorously defend the existing liability free regime.

There is a lot to recommend with the first two parts of this approach, but it has been applied too simplistically, with little regard for both the skills and level of pay commensurate with effective moderation, and the importance of high quality data to the effectiveness of augmentative digital tooling. It also fails to acknowledge the role the commercial dynamic of social media plays in online harm. Harmful speech creates engagement, engagement drives attention and attention drives profit. In short, for most social media companies, harm speech pays. Within Europe at least, this commercial

dimension is likely to be best addressed in the form of two complementary Regulations   -
The Digital Services Act and The Digital Markets Act. Nevertheless, pressure to put in place high-skilled moderators and high quality machine learning (ML) and Artificial Intelligence (AI) based tools to help filter, flag and mitigate harmful content, will increase, as an unavoidable consequence of the reality of social media companies' existence - that they are, for all intents and purposes, publishers.

Hate and Harm at Caliber

"Hate speech is understood to be any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with r   eference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor"

United Nations Strategy and Plan of Action on Hate Speech, May 2019

Caliber AI is a Trinity College Dublin campus 'spinout', developed by   an international team of editors, linguists and programmers   , and supported by an   Advisory Panel of leading lawyers, philosophers and academi   cs. CaliberAI's team has created an algorithm based on defined ethical principles, that helps to flag potentially defamatory as well as harmful speech, broken down across 22 categories. These range from racism to homophobia, from anti   -semitism to islamopho   bia and from misogny to climate   -change denial.

Harmful/Toxic language (as defined by CaliberAI) can be understood as:

(i) hate speech   (identity based hate) and/or
(ii)) threatening languag   e ("I am going to find you and I am going to kill you") and/or (iii) highly abusive language   ("you are worse than scum").

It is probable that at least some of what emerges as harmful content or hate -speech on the internet is unintentional, with users not fully aware of the damage that can be caused by choice of language.

CaliberAI's technology is not a censorship tool or a device aimed at countering freedom of expression, however, but an aid to safe and responsible use of the powerful, wonderful facility that is the internet. It aims to protect both the individual who generates content and the person who may be the subject of such content. It does not supplant human intelligence or judgment, but augments it, alerting users to the possible impact of what is said. It provides more information to the user of the information in the same way that sensors and mirrors provide information to the motor car driver, enabling him or her to make safer, better-informed decisions.

As with all machine learning tools, CaliberAI is a constant work in progress. Current iterations show detection rates in excess of 85% in identifying harmful content (further detail available upon request). The aim and expectation of the development team is to bring this figure to 90 %- 95% in the near future.

Caliber is a technology response to a technology issue that is challenging the human race and, in particular, those cohorts who are most vulnerable and at risk. It can be deployed easily and inexpensively in simple, easy-to-use format. It is an educator, a moderator and a safety net that should be as much a part of internet equipment as the seat belt is a part of the motor vehicle.

Racism and media in Ireland

Diversity and inclusion is a cornerstone of CaliberAI's work philosophy, as outlined in the Diversity & Inclusion section of our website. We believe that "diversity of perspective, in terms of demographics (i.e. age, race, faith, gender identity, sexual orientation), experience (i.e. economic or social positioning, educational attainment) and mindset" are crucial to the succ essful identification of harmful or hateful speech, and the maintenance of a healthy

In this context, CaliberAI has initiated a process of research and engagement with individuals and representative organisations from traditionally marginalised sections of Irish society. In anticipation of this submission, we decided to begin with representatives of the black Irish community. These tentative, first conversations largely focused on identity, the experience of growing up as a black person in Ireland and the relationships of these individuals with the media. Our research shows a real disconnect between this demographic, who typically consume news by following specific accounts on social platforms, and traditional news organs.

The apparent reason for this disconnect is a sense of underrepresentation in these organisations, compounded by a suspicion of tokenism when invited to participate in them. More than one interviewee mentioned their desire to see multicultural/multiethnic people in capacities beyond advocating for change.

The lack of understanding of how to represent this demographic's identity can result in misrepresentation as well as offensive and harmful reporting. Coverage of the tragic death of George Nkencho is just one example of the impact a lack of editorial quality control systems can have in the wrong circumstances. Here, several respondents felt many media presented an unfair portrayal of him, excessively focusing his ethnic background as a prime identity describer. CaliberAI can help to reduce the risk of this type of content by embedding linguistic intelligence into the publishing process.

How CaliberAI's Tools Work

CaliberAI's tools are powered by a unique, high	-quality dataset of defamation examples, managed by a team of annotation experts, pr	oviding human editors, moderators and others, with the capability to detect language with a high level of legal and defamatory risk, an illustration of which is shown below.
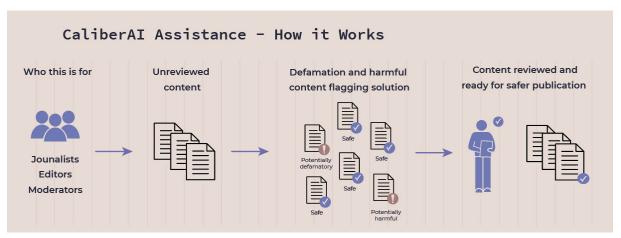
Figure 2: A typical use case integration of CaliberAI's technology

With th ese unique datasets, CaliberAI trains multiple machine learning models for production deployment. The CaliberAI API creates a seamless interface that takes in user input like individual sentences or whole documents. Pre   -processing and post   -processing syste ms clean and bolster the results, and include transparent explanations of classification results (i.e. explainable AI / 'XAI'). An illustration of CaliberAI's technology 'under the hood', can be seen below in figure 3.
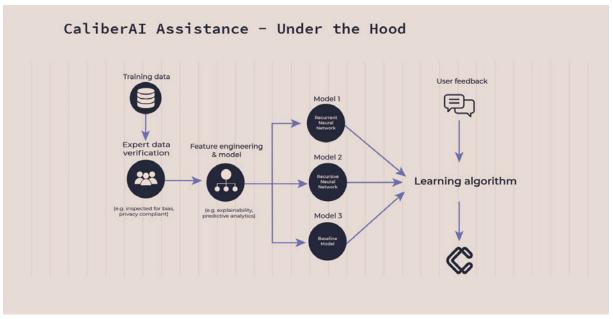
Figure 3: An illustration of CaliberAI's data annotation process

Pluralistic **societies** that cede ground to political **Islam** **present** a serious **threat** to Irish **democracy** and our Christian way of life.

Potentially problematic content has been highlighted. The size indicates attention. A classification is an automated linguistic determination and not a value judgement, read more about this here.

```
Harmful probability: 0.6057
Harmful threshold: 0.6
Model used: meta-bigru (133)
Time taken: 2578ms
Attention weights:
societies (6.181679736982915e-7), that (1.8023353920426644e-9), cede (1.4485589172608115e-8), ground (9.674398782077986e-11), political (2.0663994959591037e-9),
```

Figure 4: An illustration of potentially 'harmful' content detection, and 'explainable AI' in action

Next Steps

CaliberAI is in the relatively early stages of construction of its technology, and in the process of onboarding first customers. We are eager to connect with governmental and non   -governmental actors, civil society stakeholders and others in order to inform   our work going forward, and explore the potential for practical ways our technology can be used to increase accountability for public speech online. We would welcome the opportunity to present on this basic outline of our value proposition in further deta   il.

Annex A: Research Questions

- How successfully or not do you believe Irish media represents or misrepresents the interests, priorities and needs of people who are of diverse ethnic backgrounds?   If yes, please let us know how? How frequent? Do you hav e any examples? How can the status quo be improved upon?

- Do you think racist content, stereotyping and misrepresentation are due to lack of knowledge and education or are they intentional?

- Do you feel there is an improvement or worsening of racist conte   nt online? If so, how and why is this changing?

- When it comes to these views/judgements of Irish media, do you draw a distinction between traditional news publishers, such as The Irish Independent,

and the challenges and risks   - legal and other - they face here, and the absence of the same risks and challenges for digital first publishers like Joe.ie?

- How important, do you think, is it that technologies built to mitigate xenophobic or racist content (and technology generally) are guided by D&I values, and people to whom such values are important, as distinct from individuals representative of underrepresented or marginalised groups?

July 2021

Submission to National Action Plan against Racism

Canal Communities against Racism (CCAR) is a network of community based and statutory organisations set up to bring together migrant communities with the indigenous community to work together to combat any manifestation of racism in the area.

We comprise

community workers in Rialto, Inchicore, Bluebell and Drimnagh,

representatives of An Garda Siochana and Dublin City Council,

Representatives from Islamic Foundation of Ireland

Amal Muslim womens group

Locally based youth services

We submit the following for your consideration

- Organisation and mobilisation against Racism is best done at as local a level as possible

- Using a Community Development model can deliver better and more durable outcomes

- Harnessing the undoubted and considerable goodwill existing in local communities should be a primary objective

- Examples are already in place most notably in schools and interfaith initiative

- Others include Failte Isteach and "Welcome on the mat"

- Anti racism training should be promoted at local level for all groups

- Minority Activist leadership should be encouraged incorporating Support, Training , Advocacy and Networking

- Reform are needed in the burden of proof involved in bringing alleged racism to court

- Local authorities should be encouraged to adopt housing allocation practices that recognise the dangers inherent in sensitive areas

- Racist crime incidents should be specifically reported upon at Forums such as Local policing Forums, and Joint Policing Committees

- Sporting organisations e.g. GAA, FAI, IRFU etc. should be encouraged to cooperate at local level to ensure that intercultural access is in operation

Developing a National Action Plan against Racism
A Submission by the Citizens Information Board (July 2021)

Introduction

The publication of the Interim Report of the Anti-Racism Committee and the related public consultation is welcomed by the Citizens Information Board (CIB). The Interim Report is an important stage in the necessary development of a new National Action Plan against Racism for Ireland. The strategic context for developing and implementing an Action Plan has been set out clearly and comprehensively in the Interim Report.

The observations made in this Submission are based on the experience of CIB delivery services, including National Traveller MABS, and draw on previous CIB submissions[1] related to the topic. Citizens Information Services (CISs) are widely used by the migrant population and some 20% of clients nationally come from this population group.[2] A number of CISs specifically engage with migrant communities through outreach services and a number have recruited migrants and people from diverse ethnic backgrounds as members of their service delivery teams. Travellers are also users of CIS and Money Advice and Budgeting Services (MABS). In addition to advocating for financial inclusion for Travellers, National Traveller MABs supports the development of a collaborative working relationship between local MABS, local Travellers and other relevant organisations.

CIB supports the Immigrant Council of Ireland to provide a specialist back-up service to CISs and the Citizens Information Phone Service on complex queries relating to immigration.

Contextual considerations relevant to the new Action Plan

Much important work has already been done in recent years to create a social and cultural context where people of different ethnic and race groups are more integrated into Irish society – the Migrant Integration Strategy and some related local initiatives and the Traveller and Roma Integration Strategy 2017-2021. However there has been a lack of sufficient progress in bedding down these strategies to ensure that stereotyping and institutional barriers are removed.

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[1]CIB Submission to the Seanad Public Consultation Committee, https://www.citizensinformationboard.ie/downloads/social_policy/submissions2019/Traveller_Equality_Submission_to_Seanad_Public_Consultation_Committee.pdf
CIB Submission on National Traveller and Roma Inclusion Strategy, https://www.citizensinformationboard.ie/downloads/social_policy/submissions2016/National_Traveller_and_Roma_Inclusion_Strategy_Sep2016.pdf
CIB Submission on the Migrant Integration Strategy, https://www.citizensinformationboard.ie/downloads/social_policy/submissions2014/Migration_Integration_Strategy_Submission.pdf
[2] Country of origin is a non-mandatory data field but is recorded for over 60% of CIS users.

It is important to take into account the fact that many people who are not Irish are playing an increasingly important role in Irish society. Many migrants are already well integrated into the community at both local and national levels, and live in communities where there is relatively little focus on ethnicity, colour or race. However, as highlighted in the Interim Report, there continues to be an under-current of negative attitudes to people based on their race or ethnic origin which manifests itself on a recurring basis. It is also the case that, despite the recognition of Travellers as a specific ethnic group in Ireland, there continues to be prevailing negative attitudes and failure to realise basic rights for Travellers across many sectors of society, most notably in the housing and accommodation area.

The new National Action Plan will be required to address the fact that, despite many policy reports, legislation and strategies, there has been a failure by Irish society to deal with Traveller exclusion. While the Irish Government's recognition of Travellers as an ethnic minority and the National Traveller and Roma Integration Strategy 2017-2021 were significant developments, research[3] shows that Travellers continue to experience significant barriers to the enjoyment of their rights to healthcare, adequate and culturally appropriate housing, education, and meaningful work. Some migrants to Ireland are likely to experience similar exclusion. CIB is of the view that this inequality of access to services contributes significantly to a social climate within which racism and racial abuse by a minority of the population can flourish.

The European Commission (EC) Directive 2000/43/EC (Race Equality Directive')[4] implements the principle of equal treatment between persons irrespective of racial or ethnic origin. It states that any direct or indirect discrimination based on racial or ethnic origin should be prohibited throughout the Community. It prohibits discrimination on the grounds of race and ethnic origin and covers the areas of employment and occupation, vocational training, membership of employer or employee organisations, social protection, social security, health care, education and access to goods or services. These provisions, as well as the Equal Status Acts[5], must be at the centre of the Action Plan.

Collecting data on ethnicity
It is noted that the Interim Report identifies data collection relating to ethnicity as a priority recommendation and indicates that the National Action Plan will further highlight gaps in data gathering and use, and consider what changes could help to make better use of data in the fight against racism. CIB supports the view that ethnic equality monitoring is a key tool for public policy formulation in uncovering the prevalence of racial discrimination and its impact on people's lives. It is essential to the development of effective counter measures. International Human Rights reviews have repeatedly called on Ireland to adopt a consistent approach to the collection of ethnically disaggregated data by public service providers and others.

A Pavee Point report, *Policy and Practice in Ethnic Data Collection and Monitoring[6]* argued that the interests of minority groups "cannot be well served if we do not have evidence based

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[3] See, for example, ESRI and Irish Human Rights and Equality Commission Report, *Who experiences discrimination in Ireland?* https://www.esri.ie/system/files?file=media/file-uploads/2017-10/BKMNEXT342.pdf
Pavee Point, various reports and Immigrant Council of Ireland, various reports.
[4] European Equality Directive,https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32000L0043
[5] CIB welcomes the recent announcement of the Government intention to review the Equality Acts and their effectiveness in combatting discrimination and promoting equality.
[6] Pavee Point , *Policy and Practice in Ethnic Data Collection and Monitoring, https://www.paveepoint.ie/wp-content/uploads/2016/04/Counting-Us-In-A4_WEB.pdf*

policymaking. It stated that "accurate data and ethnic monitoring is required in the struggle to protect the human rights of potentially discriminated minorities and to promote equality and counter discrimination. It should be used in the design of appropriate anti-discrimination policies and to assess their effectiveness over time" (p.3).

The Pavee Point report also stated that the lack of an ethnic identifier across official data collection systems results in "a significant knowledge gap about the situation and needs of minority ethnic communities in Ireland and an absence of evidence-based policies and practices to ensure the needs of those communities are met." It advocates the collection of disaggregated data on the basis of ethnicity within a human rights framework.

Section 42 of the Irish Human Rights and Equality Commission Act 2014 gives public services funded by government a "positive duty" to eliminate discrimination, promote equality of opportunity and to promote the human rights of its service users and staff. Collecting reliable data on usage of public services by ethnicity group is an essential component of this.

Involving people from ethnic minorities in data collection
The National Action Plan needs to reference the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data[7] which states that:

- Data should be obtained and used in a respectful way;
- Data should only be retained for a clear and well-founded purpose and may only be used for the stated purposes;

An important consideration in collecting ethnicity data is that the ethnic group that each person chooses as theirs is based on self-identity. This is particularly important in that it allows for the active involvement of people in identifying and sharing their ethnic identity and also enables service providers to respect any such identity.

It is important to pilot and evaluate new data collection protocols relating to ethnicity and to include diverse groups in that process. Frontline service delivery personnel also need to be consulted. There is a need to involve people from different ethnic backgrounds during data collection phases and in consultation groups.[8] Individuals and groups need to feel comfortable and to feel that there is a clear purpose and merit in collecting such data.

Nature and extent of racism in Ireland
The Irish Network against Racism (INAR) 2020 report[9] shows that there was an overall increase on 2019 figures in the reports of anti-racism, particularly criminal offences, hate speech and graffiti. Ongoing repeat harassment, serious threats, thefts and workplace racism continued albeit at a slightly lower level than in the previous year. INAR noted in its report that the high rate of assaults observed in 2019 continued in 2020.

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[7] Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52018PC0449

[8] Rooney, C. and Canavan, J. (2019), *Exploring ethnic data collection for the Child and Family Agency,* https://www.tusla.ie/uploads/content/Ethic-Data-Final-Report-2_230819.pdf

[9] Irish Network against Racism 2020 Report, https://inar.ie/inars-2020-ireport-ie-reports-of-racism-in-ireland-published/

The findings of an Immigrant Council of Ireland (ICI) research report[10] which documented experiences of racism in neighbourhoods is centrally relevant. Study respondents reported sleep disturbance, anxiety, fear of leaving their home or of leaving children to play outside as a result of the racial abuse and harassment suffered in social housing. The report concluded that, in addition to the impact on the individual victim, racism and racially motivated anti-social behaviour, particularly when carried out by neighbours, has a corrosive effect on community relations which can undermine social cohesion and integration.

Understanding 'racism'

In order to be effective, it is critically important that the National Action Plan identifies mechanisms to address socially and culturally embedded inequality related to race and ethnicity. There is a need for a strong public information campaign about what racism is and how in practice it can permeate a range of social and institutional structures. CIB broadly agrees with the understanding of 'racism' outlined in the Interim Report with particular reference to "… those structural and institutional arrangements, practices, policies and cultural norms, which have the effect of excluding or discriminating against individuals or groups, based on their identity…"

Since racism is deeply embedded in our societal and institutional structures, it is necessary to address it at many different levels – legislative and regulatory Instruments; monitoring and redress structures; national and agency strategies and policies; professional codes of practice; formal and informal inter-agency agreements and partnerships and initiatives including training, awareness, educational and professional development programmes and campaigns.

The reference in the Interim Report to the intersectionality between racism and other forms of oppression based on gender, sexuality, gender identity, disability and socio-economic circumstances and to the fact that women, children and men experience dimensions of racism differently is an important one. These cross-cutting domains of inequality and discrimination must be reflected in the Action Plan and linkages made with other national strategies in relation to social inclusion, housing, gender based violence etc.

Understanding and combating hate crime

The Garda Síochána Diversity and integration Strategy 2019-2021[11] is important and its provisions and approach should be reflected in the National Action Plan against Racism. The Strategy commits An Garda Síochána to engage proactively and respectfully with all members of society, including those from minority groups and diverse backgrounds. Very importantly, the Strategy contains a hate crime definition as "Any criminal offence which is perceived by the victim or any other person to, in whole or in part, be motivated by hostility or prejudice, based on actual or perceived age, disability, race, colour, nationality, ethnicity, religion, sexual orientation or gender". This definition and understanding should permeate the entire service delivery infrastructure, public and private and should inform the Action Plan.

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[10] Dr Bríd Ní Chonaill and Teresa Buczkowska (2016), *Taking Racism Seriously,* https://www.immigrantcouncil.ie/sites/default/files/2017-10/AR%202016%20Taking%20Racism%20Seriously%20-%20social%20housing.pdf

[11] Garda Síochána Diversity and integration Strategy 2019-2021, https://www.garda.ie/en/crime-prevention/community-engagement/community-engagement-offices/garda-national-diversity-integration-unit/diversity-and-integration-strategy-2019-2021-english-v1-1.pdf

Racism and disability

CIB has a specific role in providing information, advice and advocacy services to people with disabilities, both through the National Advocacy Service for People with Disabilities (NAS) and through CISs. The cross-over between experience of having a disability and being of a different colour or ethnic group almost certainly results in greater exposure to discrimination. International literature suggests that the "minority model" framework of disability rights has been focused primarily on the experience of white disabled people. It has been argued[12] that this approach has marginalized the experiences of disabled people of colour. This suggests the need for more Irish-based research to determine how racism and disability intertwine and interact to generate unique forms of inequality and discrimination. This is an area that might usefully be included in the Action Plan.

Consultation Themes

The following are some general observations in relation to the specific and general themes identified in the Consultation Document.

The Action Plan evidently needs to be multi-faceted and integrated and cover a range of intervention levels across the political, policy and regulatory landscapes. In this regard, the approach adopted by the Irish Association of Social Workers in its Anti-Racism Strategic Plan 2021-2023[13] is useful, in that it outlines a five-strand strategic context outlining broad thematic areas that could usefully be addressed in the new National Action Plan – these include political/institutional, economic, social, technological and the regulatory environment.

Education and training

Education to promote a better understanding of multi-culturalism is, CIB believes, an essential long-term intervention required to combat racism and ethnic stereotyping. At the overall societal level, there is a clear need to deepen our understanding of the socially constructed nature of race and racism, first and foremost through our educational system. There needs to be a particular curricular focus on what racism means, how it has become embedded in our culture and how it can be eliminated.

There is a clear need for a stronger focus on multi-cultural awareness throughout the whole of the Irish educational system in order to develop an awareness of diversity and promote a sense of respect and tolerance for all cultures and races. Better provision needs to be made for the promotion of inclusion of anti-racism modules in school curricula. These modules should be designed to enable students to examine their own behaviour and promote respectful relationships among all students.

This will require innovative and imaginative thinking and real and effective participation by all groups , including Travellers, other ethnic minorities, people from different racial backgrounds as well as the white Irish population.

CIB notes that the Immigrant Council of Ireland provides training courses and workshops to businesses, services, schools and organisations covering a wide suite of topics related to

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[12] Angela Frederick and Dara Shifrer Dara Shifrer, *Race and Disability: From Analogy to Intersectionality*. https://www.researchgate.net/publication/326330829_Race_and_Disability_From_Analogy_to_Intersectionality

[13] Irish Association of Social Workers Anti-Racism Strategic Plan 2021-2023, https://www.ifsw.org/wp-content/uploads/2021/04/IASW-Anti-Racist-Strategy-2021.pdf

immigration, migrant rights, anti-trafficking, as well as diversity and inclusion in the workplace. This approach could usefully be extended to include proactive involvement by organisations such as IBEC and ISME.

National Action Plan priority areas

The following are identified by CIB as areas for which provision needs to be made in the new Action Plan:

- Data on ethnicity collected routinely and analysed by all public services;

- Improved, formalised and accessible mechanisms for reporting racism and racial abuse

- Clearer guidelines covering sentencing for racially motivated crimes

- The need for Local Authorities to provide timely alternative accommodation to people living in an environment of racist harassment

- More inter-agency collaboration to support victims of racism

- The adoption by all schools of anti-racism policies that identify the steps that will be taken to address racist bullying when it occurs

- Funding for information, advice, advocacy and outreach services that support victims of racist discrimination, violence, harassment anti-social behaviour

- Workplace training -- this could build on the programmes currently provided by the Immigrant Council of Ireland

- Enactment and commencement of the Criminal Justice (Hate Crime) Bill 2021;

- Progression of the Online Safety and Media Regulation Bill to address the problems arising from a digital environment which is largely unregulated in Ireland at present;

- Developing a sustained engagement with the media to promote a positive inter-cultural and inter-race dialogue and to combat negative stereo-typing, racial abuse and hate speech.

Key points

➤ The State has a centrally important role to play in combating racism – this requires that the Anti-racism Action Plan is supported by strong and enforceable legal provisions; for example, more focus on public sector obligations[14] under section 42 of the Irish Human

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[14] Including annual reporting similar to the disability target reporting required under Part 5 of the Disability Act 2005.

Rights and Equality Commission Act 2014.

- Tackling racism and promoting diversity is not just the responsibility of Government – individuals, organisations, businesses and NGOs have a responsibility to address racism and its impact on the people who experience it;

- Effective criminal legislation will be critical in deterring and addressing hate-motivated crime;

- Local community integration initiatives have significant potential to create more racially tolerant and inclusive communities and should be actively promoted as part of the new Action Plan;

- There is potential for Local Authorities to promote better integration of marginalised and excluded communities and, thereby, contribute to a more respectful inclusion of people from different cultural and ethnic backgrounds;

- There is a need to develop a stronger counter-narrative to intolerance and racial abuse across all media outlets – the positive aspects of social media can be built upon to help develop a counter-narrative to racism and hate speech;

- There is need for more diversification in our democratic representation at both Local Authority and Oireachtas levels to ensure that these institutions accurately reflect contemporary Ireland.

- A more culturally diverse Garda force operating in all local communities as committed to in *The Garda Síochána Diversity and integration Strategy 2019-2021*

- There is potential for much more cultural, racial and ethnic diversity on State and publicly supported TV and radio;

- Both local and national print and radio media can play a much stronger role in developing a narrative of cultural diversity, integration and inclusion

The National Action Plan against Racism can provide the necessary structure for a new approach to multi-culturalism and a related lessening of negative stereotyping that gives rise to racial abuse by locating the measures to be taken within the broader structures and processes relating to national identity and citizenship. It will also need to affirm the wealth of skills, experience and insight that people from different cultural and racial backgrounds bring to their work and to their communities, some of which has remained untapped to date in Ireland. CIB suggests that this, combined with a stronger focus on inter-cultural themes throughout the educational system, is the main foundation for combating ingrained prejudice and racism.

The promotion of equality and inclusion for ethnic minorities is a named objective within numerous government and public policy strategies. Measures to combat racism are included within the Migrant Integration Strategy and the National Traveller and Roma Inclusion Strategy. These need to be reflected in and, indeed, strengthened in the National Action Plan against Racism. Engaging the media, both traditional and new forms of social media, will be a key component of the Action Plan and will require the development of some innovative models with

strong participation by ethnic groups.

There is a need for proactive campaigns by Government and by political parties, particularly at election times, to encourage and facilitate people from ethnic groups to stand for election – this could be made a central theme in the next local elections.

CIB supports the Committee on Anti-Racism recommendation that the State remove its reservation to Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. This is particularly important in the context of ensuring that any incitement to racial discrimination against any race or group is clearly seen and understood by the public to be punishable by law.

Towards a National Action Plan Against Racism for Ireland: Group Submission

Access to Justice

- The anti-discriminatory/Hate crime laws that are there or in the making have to be put into practice and utilised urgently! The questions of the committee have been answered over and over again and suggestions made. It's time to "do better".

  Hate crime legislation should provide, in cases of crimes motivated by group hatred such as racism, for an additional punitive tariff over and above normal sentencing rules.

- To enable more people from migrant backgrounds to report racism or exploitation etc, there needs to be public assurance that they are fully protected by the Irish state and supported by doing so. It should be made illegal to ask someone their status in the country when reporting an incident.
- Develop a centralised database to capture real time information across the country, to display quantifiable migrant achievements and contributions across the Irish society spanning from education, government and the workplace. To act as a factual check to debunk harmful and hateful narratives perpetuated about migrant communities.
- The Irish government is in the embarrassing situation of Ireland being named in 2019 as one of three countries with the worst records in the EU of racism based on skin colour according to a recent survey.
- The survey of 12 EU States, the EU-MIDS survey showed racism based on the colour of a person's skin remains a "pervasive scourge" throughout the EU and a serious problem in Ireland which, along with Austria and Finland, recorded the highest rates of racially motivated violence at 13 per cent.[1]
- Ireland also showed some of the highest rates of hate-motivated harassment, 51 per cent compared to an average of 30 per cent of the countries surveyed while 30 per cent of women and 34 per cent of men

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[1] [1]
https://fra.europa.eu/en/project/2015/second-european-union-minorities-and-discrimination-survey

with African descent experienced discrimination here in the five years before the survey because of their skin colour.

- The Irish Government and people have to address this issue and not just talk about what should be done about it. A top down as well as bottom up approach is required immediately.
- More could be said about policing and particularly Garda recruitment etc. There is a document called the Rotterdam Charter [https://www.legislationline.org/documents/id/8562] which advocates the principle that the police service of any society, in its membership, should reflect the diversity of that society. We believe that active Garda recruitment from ethnic minority and migrant backgrounds would contribute to better understanding and relations (We know some efforts were made but not enough). We also feel that the Garda Ombudsman's office GSOC should reflect a similar approach in its composition.

What support would you like to see in place for victims of racism?

- Understand that victims of racism usually come from countries where they have traumatic experiences from engaging with law officers and judiciary systems. This past experience does very little to build trust with the Irish justice system. And so, the justice system - Garda, law, immmigration need to do much better at informing all their agencies about how to practise not just cultural competency but in fact cultural safety. The agencies must roll out a strong communication campaign, in different languages, to inform minority groups of their rights. This information must also be available to all citizens because it will also empower the allies, ensure that there are no bystanders.
- Not just migrants, but Black Irish/POC/Traveller/Roma communities have spoken out about being victims of racist abuse yet nothing is being done to combat this. How many more times do people have to retell their stories? Instead of people telling their stories again and again, people in positions of power such as the Gardai, Schools, Councils, Politicians need to check their racial biases!! This could be done through training, intercultural competency training etc!

What actions could be adopted to counter discrimination by law enforcement?

- Clear and fair reporting mechanisms must be put in place to ensure that victims of racist comments and abuse know and trust that their complaints will be dealt with. There is a lot of mistrust in the public regarding reporting complaints to gardai and this needs to be addressed. Trust needs to be rebuilt particularly after the death of George Nkencho.

Are there particular issues connected with racism and gender and access to justice?
- Definitely. Women and other genders from minority groups are additionally vulnerable to attacks because of supremacist behaviours of some members of majority communities. This can be addressed by grassroots education of human rights and citizens' rights at intersectional locations - workplaces of all industrial sectors, all direct provision centres, family resource centres, schools, universities, hospitals, banks and all organisations who work with cultural and gender minority groups
- Asylum-seeking LGBT people are not taken cognisance of, often disbelieved or dismissed within the asylum-determination system; nor is this taken account of in the allocation of accommodation within the Direct Provision system (where, for example,Trans women have been placed in all-male hostels).

All forms of media and communications, including new technologies

What actions would you suggest to tackle racism in new and more traditional forms of media?

- Employ people from the most diverse backgrounds.
- Educate, update handbooks, train HR in cultural diversity, consult cultural mediators; stop periodically to assess your inclusion and anti-discrimination policies.
- Submit surveys to your employees to get the feedback on what is needed specifically in your working environment.
- Content of media: the content creators do need to get anti-bias training and to learn how to develop content that is not only performing inclusivity but that is reflecting inclusivity in all the aspects of the making of the content.
- What actions do you think would help to make broadcast media and the press more representative at all levels of everyone living in Ireland?
- Value diversity when employing people; Look at the ten grounds of discrimination and check how many of your employees in the media industry are white male cross-gender.
- Open applications for jobs specifically advertising for people over 60s, LGBTQ+ community, people of color and Roma and Traveller communities.
- Establish funding grants to support all media created by minority groups. There are quite a few media publications - online and offline that are owned by minority groups that are not recognised for funding as media publications. They are however, considered as art or educational resources/projects. This lens needs to be done away with.

What are the challenges posed by new technologies in terms of racism?

- The challenges are enormous as the new technologies are designed by companies at a time where regulations about the content and the ethics of the development are not regulated. New technologies are extremely influential on culture making and therefore they need to adhere to strong ethics and values, checked by the State policies against discrimination and hate speech.

At a time where most of the new technology is developed through remote working, we are risking losing the opportunity to work together on how inclusive our working environments should be. Irish employees of foreign companies that took an office in Ireland for tax reasons, are having huge challenges in terms of being respected as members of minority ethnic groups and LGBTQ+ communities. There is currently no agency or State body that is checking the policies on inclusivity in the online working environment.

What actions should be taken by tech companies to help combat racism?

- Social media companies should be more forced by law to show zero tolerance towards racist posting and should report to the authorities, sites and individuals which they remove so they can face criminal charges. There should be fines of up to 10 percent or more of annual global turnover of media companies for failing to crack down on racial abuse.

What role can the regulation of tech companies play in combating racism?

- An extremely important role can be played by the regulation of the tech companies. From regulating employment practices, making sure that all society is represented in the work teams, to HR cultural mediation skills needed by any manager.
- Regulating the policies for the content makers, the developers and the designers of the tech companies, would have a big impact on how people would feel represented in their everyday lives.
- Tech companies need to reflect and acknowledge how society has become diverse and changeable, more gender fluid and less ableist and ageist.

Employment, Education, Health, and Accommodation

How would you like to see racism tackled in the education sector?
The Curriculum:

- By expanding the scope of the curriculum and including more and more narratives from different cultures, post-colonial Africa should be taught, and the genocides of colonization and it's continued impacts on political,

economic and social instability. This would involve decolonizing the curriculum at all levels, not just adding diversity on top of what is already there but challenging frameworks. That begins with deconstructing and challenging the power imbalances rooted in colonial legacies that privileges the global north over the global south towards reconstruction of knowledge that is more inclusive of multiple forms of knowledge. Adding to this, there needs to be better awareness of past Irish involvement. Like it or not, Irish people were involved in the processes of imperial and colonial conquest including slavery and participation in various civil and military roles (as well as more positive ones, which should not be forgotten). This needs to be addressed in the educational curriculum, notably at second and third level.

- The curriculum should also include a subject/course that would promote equality, anti-racism and non-discrimination, as a way to address racism through education in schools.

Teacher Training:

- There should be a strict nationwide anti-racism policy with zero tolerance.
- Teachers should be educated as part of their training about racism and undergo a comprehensive anti-racist training (including Traveller Awareness Training) that check their racial biases!! We need to start with teacher's biases and challenge them!
- Teachers need to be trained in Culturally responsive pedagogy.
- To engage more teachers from migrant backgrounds into primary school education, Irish language should not be mandatory for primary school teachers. We need to further question and investigate why within the primary and post primary school sector, but also in third level institutions why there is not an ethnically and culturally diverse teaching staff. Teaching staff needs to reflect the society we live in and this is not the case within the Irish education system.

In the school:

- Implementation of effective racial discrimination law that would hold schools responsible for any racial acts committed in schools by both the staff and the students. There have been experiences of systematic and indirect institutional racism where a textbook used in schools contains some racial elements that could create social distinction among pupils. An example is a schoolbook that states that African people live in huts. To me, this is kind of creating an impression that Africans are poor, that Africa is

backward. This kind of thing could make some races (pupils) believe that they are superior to others. Also, where teachers use the 'N' word from the books they read to the class and claim that they are allowed to use it because they are teachers. But, many children of colour find this uncomfortable.

- The government should also create and promote multiple channels in schools for racial awareness and consequences for racial acts.
- Schools should have regular contact with representatives of ethnic minority communities and Traveller communities.

In the classroom:

- Practices of streaming children in different classes, following their literacy skills, should be terminated immediately as it creates extremely marginalized classes. It is illegal in many EU countries as it is proved that in mixed level classes, children learn from each other, and they quickly fill the gaps in their learning as they have role models in the classrooms. Conversely, when we group students in "lower achieving" classes, we create a situation where students cannot grow and learn from each other as the challenges in the class are too complex to address, both for students and teachers alike.

Higher Education Institutions:

- As part of HEIs duty of care to staff, students and the greater community, HEIs must assume responsibility for, be held accountable for, and have enacted accessible policies that counter racisms that are perpetrated within their institutions, by either staff or students. Or for actions that are undertaken by these people in the name of the institution. Significant and appropriate sanctions should be put in place to ensure adherence to such policies.
- Student induction should include antiracism awareness and training.
- Staff intercultural and anti-racism training, for both academic and administrative, should be a part of staff induction, and an ongoing part of inhouse staff training.

Accommodation:

- Asylum-seeking LGBT people are not taken cognisance of/disbelieved within the asylum-determination system; nor is this taken account of in the DP accommodation system (where e.g. Trans women have been placed in male hostels).

How can we ensure the equality of all children in terms of access to services?

● By first understanding their vulnerabilities and cultural safety.
● The inequality practice involved in the distribution of citizenship rights of children born in Ireland has made many children born of foreign parents see themselves as strangers in their country of birth. These children are being marginalised; they have little to no access to adequate services/resources enjoyed by other children born to Irish parents. To ensure equal treatment and equal access to services, the government needs to address this and make equal provision for all children in all forms, including equal citizenship rights for all the children born in Ireland without any discrimination on the ground of backgrounds or any considerations. Many of these children are undocumented, live in Direct Provision Centres and are faced with experience of social exclusion due to their parents' immigration status.

What initiatives and actions would you like to see undertaken to combat racism in access to employment?

● Allow people seeking asylum in Ireland full access to employment and associated protective rights. Nurses, doctors, teachers, engineers etc are wasting away in direct provision centres, being deskilled. Opportunities should allow them to enter the workforce and support their integration into the workplace. An example of an initiative to support this could be a mentorship program in these workspaces.
● Regarding non-EU workers who are here under Stamp 2 allow them full access to rights and entitlements in Ireland. These are highly qualified people who must pay 300 euros 4 times a year to renew their visa whilst they also pay high taxes. This is racial discrimination.
● Regarding citizenship and immigration law, undocumented migrants many of whom have lived in Ireland for a number of years need to be regularised. Non regularised workers face exploitation and this needs to be rectified. Many are frontline workers who have contributed to the Irish state tirelessly over the last year.

What training and additional support could help to combat racism in the workplace?

- There needs to be clear guidelines, protocols and procedures in place for staff and management when a racist incident occurs whether it be verbal, physical or other to inform staff how to respond to these incidents, how to report them and how to address these incidents.

<u>Inclusion and Participation</u>

What initiatives do you think could raise the public awareness of racial discrimination and help to combat racist stereotypes?
- Migrant led Initiatives that are already doing this work should be supported and be integral to public awareness and giving mainstream platforms.

How can we remove barriers to the social inclusion and participation of under - represented and disadvantaged groups?

- By creating a welcoming, safe and equality environment that acknowledges specific groups' vulnerabilities. By challenging stereotypes and inequalities.
- By abolishing the direct provision system - by not sending people seeking asylum to isolated locations without proper systems in-place to support integration.

How can we ensure that those who are most marginalised are specifically included?
- People need to be offered and afforded a space to have their voices heard. With over 6000 people living in the direct provision system have they been afforded this opportunity to be involved in the consultation process? Have any NGOS who claim to represent them contacted them to ensure their voices are heard?

What actions would you suggest to increase the numbers of people from minority ethnic groups participating and standing in local and national elections?

- By Sharing the information with them in a format that is accessible
- By local political parties having a mentorship program where migrants can shadow understand local politics

- By involving and engaging migrants in local political groups
- By examining formal and informal rules of political participation -
  New research reveals scale of barriers faced by migrant political candidates | Immigrant Council of Ireland

What action needs to be taken to address racism in sport?
- Members of sports clubs, organisations need to be held accountable for racist comments or abuse towards members of clubs. There have been no repercussions for the racist comments last week by the CEO of Basketball Ireland. The movement of Black Lives Matter (BLM) needs to be taken seriously by all heads of institutions. Not so long ago, there was a member of a City Council who stated that he didn't believe in BLM which is another example of lack of respect and disregard for the movement. People in higher ranks of society don't seem to understand that racism exists and racist comments made need to be addressed with repercussions.

Submission by:
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Think Speak and Do Community Engagement
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There needs to be real consequences and sanctions put in place to tackle racist behaviours and actions, until this happens, racism will continue to be a blight in our society and affect the outcomes ,opportunities and health for all groups who experience exclusion and racism . Any anti racist policy needs a clear implementation plan and sanctions for non compliance.

Submission Towards a National Action Plan Against Racism for Ireland

By

County Wicklow Public Participation Network

July 2021

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Introducing County Wicklow Public Participation Network

County Wicklow Public Participation Network (PPN) was established in July 2014 under the directive of the Department of the Environment, Community & Local Government and in accordance with legislation in the Local Government Reform Act 2014 (Section 46). Public Participation Networks were established to be an independent structure that would become the main link through which local authorities connect with the community, voluntary and environmental sectors in a process to facilitate communities to articulate a diverse range of views and interests within the local government system.

Co Wicklow PPN has 376 diverse member groups, some of these groups are networks in their own right. PPN representatives serve as a voice for the community on structures including: the Local Community Development Committee; all of the Wicklow County Council Strategic Policy Committees; Wicklow County Childcare Committee; Co Wicklow Children & Young People's Services Committee; Co Wicklow Local Sports & Recreation Partnership; Wicklow County Tourism Board; Co Wicklow Volunteer Centre, County Wicklow Partnership, South East Fisheries & Local Action Group, Ring a Link and Co Wicklow Joint Policing Committee. PPN Representatives strive to ensure that the needs of the community sector are prioritised within local policy processes.

Consultation with Communities

> **This submission is based on our Co Wicklow PPN June Plenary consultations, additional responses through our survey, and our Vision for Community Wellbeing Consultations. It also takes some of the learnings from the Wicklow Integration Strategy and Recipe for Harmony where they mirror the more recent conversations.**
>
> **Please note that there were many cross-cutting issues and suggestions in each of our thematic workshops. To honour people's contribution, we have reported the discussion from each workshop despite the resulting duplication within this submission.**
>
> **The Secretariat of Co Wicklow is grateful to all those who contributed to this submission.**

A County Wicklow PPN Plenary (Members Meeting) took place online using the Zoom platform on the 30th of June 2021. The theme of the meeting was "Valuing Our Ethnic Minorities". During the meeting participants were invited into breakout rooms to discuss some of the questions raised in the consultation document as follows:

Themes	Questions (from public consultation document)
1. Access to justice &	Q1 What supports would you like to see in place for victims of racism? Q2 What actions would be effective in removing barriers to justice for victims of racism?
All forms of media and communications, including new technologies	Q1 What actions would you suggest to tackle racism in new and more traditional forms of media? Q2 What actions do you think would help to make broadcast media & the press more representative at all levels of everyone living in Ireland?
2. Employment, education, health & accommodation	Q1 What initiatives and actions would you like to see undertaken to combat racism & discrimination in employment, education, health, and accommodation
3. Inclusion & Participation	Q1 What initiatives do you think could raise public awareness of racial discrimination and help to combat racist stereotypes? Q2 How can we remove barriers to the social inclusion and participation of underrepresented and disadvantaged groups?

These questions were also circulated in a survey document to members who were unable to attend the plenary.

Throughout, 2018, Co Wicklow PPN consulted community groups across the 5 Municipal Districts of Co Wicklow, asking them "What is your vision for community wellbeing for this and future generations?" We asked them to consider this question under the following headings:

- Environment & Sustainability
- Health (physical & mental)
- Work, Economy, & Resources
- Social & Community Development
- Participation, Democracy & Good Governance
- Values, Culture & Meaning

The responses we received were documented and are available to download from our website: www.countywicklowppn.ie . We ran 11 workshops, 5 online consultations and accepted 2 submissions in total. The consultations facilitated the development of an overarching vision for each Municipal District along with community visions and high-level goals under each heading. The county vision was developed in the same way.

In 2020 Wicklow County Council developed the Wicklow Migrant Integration Strategy which was adopted in early 2021. The Co Wicklow PPN Resource Worker engaged with the researcher and facilitated a consultation workshop which fed into the Strategy.

In October 2009, Wicklow County Council published "Recipe for Harmony – An Anti-Racism and Diversity Strategy for Co. Wicklow 2009 – 2011." A participatory

learning in action approach was adopted to consult with Wicklow's diverse communities and the Co Wicklow PPN Resource Worker was an active member of the research team.

At the end of this submission, we have included a brief section on connecting Our Vision for Community Wellbeing to the Global Goals for Sustainable Development

Co Wicklow PPN hopes that this submission is useful to the Dept. Children, Equality, Disability, Integration and Youth

Co Wicklow PPN looks forward to reading and feeding back on the first draft of the National Action Plan Against Racism

Participant Quote: "It is not enough to stay silent. You have to be actively against racism."

Access to Justice

The consensus of our Plenary was that there needs to be more awareness training so that those affected by racism and discrimination know what to do and how to report it. There was a suggestion that there should be some form of recompense for those affected by racism.

While there is legislation covering the 9 grounds of discrimination, this is often seen as being relevant to the workplace only. Awareness needs to be raised to highlight that this legislation relates to all aspects of life. The other piece of legislation mentioned was the Equal Status Act which legislates against discrimination in terms of goods/services/accommodation. Many of those affected by racism are not aware that these legal protections exist.

It is important that there is always at least one specific Garda in each station, at all times, that has been trained to handle complaints of racism.

Removing Barriers to Justice for those affected by racism.

There was significant crossover in discussions on access to justice and removing barriers to justice for those affected by racism.

It was pointed out that some ethnic minority groups have an innate fear of people in authority, thinking that engaging with some public and statutory services might result in more trouble for them. This leads to the under reporting of racism. While many statutory agencies have integration officers it is important that all staff members of public bodies undertake racism and diversity training as well as crisis intervention training. It might also be worth establishing (community) centres or other places of trust as designated places for people to report racism and receive supports.

Literacy difficulties were also highlighted as a barrier and suggestions that alternative methods of reporting and seeking help, that avoid reading and writing, and include one to one support should be made available.   Language barriers is also an issue for some and more access to interpreters is needed. This was mirrored across many of the conversations and topics.

A more immediate response to allegations of discrimination and racism would be welcomed.

It was pointed out that the Immigrant Council of Ireland is working on hate-crime legislation.

All Forms of Media and Communications, Including New Technologies

Actions to reduce racism in the media.

It is important that the majority population steps up as allies for ethnic minorities and speak out loudly against abuse.

Concern was voiced about negative reporting re. the Traveller community in the media. It was pointed out that negative commentary, in texting and social media affects the whole Traveller community, not just those who are featured in media reports.

The suggestion was made that news outlets should employ monitors to remove racist commentary from their online sites.

A lot of the discussion focussed on specific incidences of racism/discrimination. Many people affected by this do not know where to go to report it in the real world. There is a sense of disconnect between complainants and the anti-racism websites. Being able to speak to somebody about it and then see follow-through on the complaint would be much better.

The restorative justice approach was suggested as a way of dealing with racism and discrimination as this includes a learning element for those who have engaged in racist and discriminatory behaviour.

More positive reporting on Travellers and other minority groups would be welcomed. One suggestion was that promotion of members of minority groups in volunteering would be really positive.

Regular media campaigns to overcome stereotypes and report the personal impact that racism has on real people is needed.

Making the media more representative

The majority of people portrayed in the media appear to be middle and upper middle class indicating a lack of class diversity. By extension this impacts on representation of ethnic minorities. While an improvement in minority representation has been noted, there is still a long way to go.

Invitations to a wider spectrum of society to participate as guests in shows and more diverse staff recruitment is needed. If you can see it, you can be it, or at least imagine being it.

Remove Barriers that face under-represented groups.

Advertisements should be based in reality, and show how diverse our communities are more.

Projects and organisations which have diversity should be showing their work online so that everyone can see people working together. Cooperation needs to be visible

Love Bray is online to try to use social media as a power for good and help combat racism

Employment, Education, Health, and Accommodation

The Citizen's Information Service was singled out as an organisation that supports ethnic minorities with access to information about all the topics covered in the different conversations and themes. Their Living in Ireland online information was highlighted as an important source for people to find out about how to access essential services However, literacy and language barriers were highlighted

as being one of the biggest impediments to accessing all services and supports including supports against racism and discrimination.

Employment

Participant Quote: "I am a teacher by profession, currently working in ████████ but still in a Direct Provision Centre in ████. I can teach maths, chemistry and physics"

It is not only discriminatory, but also a missed opportunity when the skills and qualifications of ethnic minorities are not recognised and put to valuable use in the workforce.

The business sector/employers need to be committed to engage with these groups and take on employees. Rewards should be made to businesses actively adopting an anti-discriminatory stance.

Unions, employers, and different agencies need to be committed to following through, not just ticking boxes.

Organisations need to invest in training and policy development.

Employer champions need to be identified who can showcase the positive experiences and examples of having a diverse workforce.

Education

Participant Quote: "We need to include (young people) authors from different backgrounds i.e. Traveller, Chinese, African etc. It is about changing the mindset. Education is key in challenging racism."

Education was cited as being the key component of addressing racism and discrimination in all of the workshop discussions, beginning in pre-school and carrying on through to all levels of education as well as training in the workplace.

There needs to be a curriculum that includes learning about cultures, history, language, and traditions. The Yellow Flag Schools Programme was commended. This programme challenges discrimination and promotes inclusion. While some schools in Wicklow have taken part in this programme and earned their yellow flag, it is not widespread. It was suggested that funding for this programme could be a reason why it has not been rolled out more widely.

It was considered that perceptions and bias need to be challenged more. Sometimes people need to "unlearn" before they can learn and adopt a new position.

Another proposal was that teacher training needs to be updated to reflect our more diverse society.

At school level, drawing/writing competitions are seen as a good way to raise awareness and celebrate diversity.

Multi cultural days should be annual events in all schools.

Deeper curriculum integration at appropriate age levels about systemic and institutional racism is needed.

It was acknowledged and welcomed that the Dáil had recently unanimously approved legislation to ensure Traveller history and culture becomes an obligatory part of the primary and secondary school curriculum. The Bill is currently with the Education Committee for consideration.

Accommodation

The process of moving families within the Direct Provision system at very short notice needs to stop. People must start again integrating into a new area and children struggle with changing schools.

The problem of poor literacy was highlighted in relation to form filling to access accommodation and accommodation supports.

Sanctions should be imposed on local authorities that do not spend their Traveller Accommodation budget in the appropriate time frame.

Health

The Traveller Primary Care Programme was highlighted as a good model of community care. Extending the Traveller Primary Care Team model and replicating it with other ethnic groups was suggested.

Provide a community section on HSELand to allow community groups to access the valuable training that is there

Inclusion & Participation

Participant Quote: "All one community, different members of the same community (not different communities)."

Social inclusion was seen as key, from the earliest stages so that children don't feel the need to hide who they are and feel accepted by their peers and the community in which they live.

It was suggested that more support should be provided to organise informal gatherings that promote sharing of cultural traditions that would promote mutual respect and understanding. A bottom-up approach was highlighted as being very important, building connections locally in a normal easy, and safe way.

Public Sector Duty was highlighted as a good framework with which to address racism and discrimination. It is difficult to see or know where and how this is being implemented.

Participant Quote: "There is a great record of integration within the GAA clubs with Travellers and migrant people. For instance, in our club we have 12 different countries playing in one underage team."

More opportunities must be provided to convey the positive human stories that will foster mutual respect and understanding and change the preconceptions and narrative that forms the foundations of racism and discrimination. Various sectors, public and private need to take responsibility to highlight and circulate these stories.

The GAA was commended as being an inclusive organisation.

The Glencree Centre for Peace and Reconciliation continues to actively work and run various projects to support migrant communities to network, integrate, and get their voices heard.

Discrimination was reported to have become worse not better for the Traveller community.

Focus on facts campaigns such as the one done by community development workers in Wexford and support for the places of Sanctuary initiatives for schools, and other organisations.

There is a need for more awareness and culturally appropriate training which should ideally be provided by ethnic minority groups and new communities representatives themselves.

More effort should be made to invite members of minority groups i.e. people living in Direct Provision to get involved in local initiatives (environmental projects etc.)

Start awareness building at the youngest age level, investment in Early Childhood education.

Extension of Failte Isteach or similar type programmes. These not only help with language barriers, they also promote integration and networking

Establish befriending programmes for ethnic minorities.

Develop a communications campaign by putting leaflets through doors and posters in libraries. Link this in with community groups and send out invitations for cultural exchanges. Duplicate this in social media.

How can we remove Barriers?

Participant Quote: "Irish Girl Guides had a few Majors from the Direct Provisions centre, really good with the girls, bit of a language barrier at first. Some get moved on just as they settle in."

Continuous movement of people living in direct provision create many barriers for them. They leave their families and everything familiar to them behind to start a new life in another country and then we expect them to start a new life over and over again in different communities here.

There needs to be more done at policy level. Coupled with this there needs to be more opportunities and supports for the inclusion of ethnic minority representatives on committees and structures.

Provide funding incentives by including criteria for active integration in funding streams. Fund the development of Codes of Conduct.

Fund outreach workers to help build inclusive networking.

Promote changes in attitudes and dispel stereotypical perceptions at every opportunity.

Holding voter registration sessions in Co Council offices (as done by Clare PPN) was highlighted as a way of making contact and building trust with people living in Direct Provision Centres and other hard to reach minorities, and for them to see that the local authority and other local agencies have other services and information useful to them.

There should be quotas and or targets for the inclusion of ethnic minorities, similar to gender quotas. This should manifest in terms of employment as well as in regards to representation on decision making bodies at local and national level

Participant Quote: "The word "integration" is a problem, we should use "intercultural"."

Community consultations to develop the Co Wicklow Visions for Community Wellbeing provided the clear message that Wicklow citizens want society, and Co Wicklow in particular, to be a welcoming and caring place, where difference is respected, and all people and cultures are valued and celebrated. Citizens want a society where all communities are encouraged to share their culture and use their voice, and they want community infrastructure and services to support the diverse needs of all citizens.

We list the messages under each of our Wellbeing headings below.

Values, Culture, & Meaning

- create a welcoming & caring place;

- where difference is respected; and

- all people & cultures are valued & celebrated

Specifically by:

- promoting & celebrating BOTH native & other cultures;

- encouraging all communities to share their culture & use their voice;

- providing community infrastructure & services that support the needs of all citizens

Social & Community Development

- promote the empowerment of all members of the community

- resource excellent social structures to support an inclusive caring community;

- have all citizens actively engaged in their local community;

- ensure the needs, safety & security of all citizens, particularly **the more marginalised**, are met;

- Statutory & community services meet the diverse needs of the community, particularly the **more vulnerable citizens**.

Participation, Democracy & Good Governance

- for all elements of government to be accessible & responsive to the needs of all citizens;

- everyone contributes to decision-making & development;

- structures & processes are inclusive and supportive of all citizens, who are supported to participate

Environment & Sustainability

- ensure **all** citizens are socially connected within a safe & secure community;

- **all** citizens are connected with, appreciate & work together to nurture & protect the natural & built environment

Health (Physical & Mental)

- people are connected & enjoy a good level of social & community supports;

- **all** citizens have their basic needs met, are resilient, active & enjoy a good level of physical & mental health;

- everyone has access locally to co-ordinated & high-quality statutory & community services & facilities that support good health of **all**;

- extensive, co-ordinated information, education & early intervention initiatives are an integral part of community & statutory services.

The Global Goals, also known as the Sustainable Development Goals (SDGs), are a **universal plan of action for people and planet** to be achieved by the year 2030. These 17 goals aim to end poverty, combat climate change and ensure that we p13leave peaceful, just and equal societies for future generations.

These goals are **universal** in nature, applying to developed and developing countries alike, and place sustainable development at their core.

Connecting the Local to the Global

Working towards realising our community vision for wellbeing has a direct impact on achieving Ireland's targets for the sustainable development goals

**Working collectively to support and promote
community work as a means of addressing
poverty, social exclusion and inequality and
advancing human rights**

National Action Plan against Racism
CWI Submission
July 2021

Introduction

Established in 1981,[1] Community Work Ireland is the national organisation that promotes and supports community work/community development as a means of addressing poverty, social exclusion and inequalities, and promoting human rights. CWI is a membership organisation comprising over 700 individuals and organisations that support community work/community development and work in the most disadvantaged communities throughout Ireland. For nearly 40 years, Community Work Ireland has played an important role in working to advance policy and programmes that meet the real and pressing needs of marginalised communities seeking to ensure the meaningful participation of communities in the decision-making processes that affect their lives.

CWI is a member of the Irish Network against Racism, the Far Right Observatory and Le Chéile and were members of the Department of Justice Advisory Committee on the Community Sponsorship Programme. CWI was also a member of the National Consultative Committee on Racism and Inter-culturalism.

At the outset Community Work Ireland recognises that racism can be on purpose or in effect and that at a structural, systemic and individual level racism is endemic in Irish society and must be challenged and addressed as a matter of urgency.

Community Work Ireland welcomes the development of the new National Action Plan against Racism (NAPAR), the commitment in the Programme for Government in this regard and the opportunity to engage with the development of the Plan, which we do having consulted with CWI members. We recognise the community sector as both rights holders and duty bearers and that the community sector has a key role to play in ensuring that an anti-racist and would welcome the opportunity for ongoing engagement in the process.

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[1] As the Community Worker's Co-operative

Community Development, Representation and Participation

Engagement of communities and their representative organisations who are affected by, and suffer the brunt of, racism in developing and monitoring the solutions to these issues will be critical for the successful implementation of the Action Plan.

The Plan needs to advance mechanisms that ensure that Black and Minority Ethnic communities in all their diversity are represented on a broad and diverse range of decision-making bodies at local and national levels. Where there are gaps, the Plan needs to be proactive in addressing them. Strong representation requires strong community development. The role of community development in building inclusion integration and voice needs to be recognised and resourced. Effective engagement requires a robust process of community development supported by the necessary community infrastructure, including by professional community work.

We call for a commitment in the Plan to investing in the extension of the Pilot Community Development Programme currently being operated by the Department of Rural and Community Development projects, with a specific focus on addressing racism and promoting interculturalism and inclusion supported by the DCEDIY. This will lead to the creation of a sustainable community infrastructure that will contribute to ensuring social cohesion, and the development of strong communities, which have inclusion, anti-racism and solidarity at their core.

Diversity

The Plan needs to recognise the diversity that exists within and between Black and minority ethnic communities, the often differential type and impact of racism depending on age, gender, sexual orientation, disability and religion, the intersectionality of racism and discrimination on other grounds, the multiplier effect this can have, and the different responses that are needed.

We call for an action Plan which sets out key issues and responses for specific groups within Black and Minority Ethnic communities including women, children and young people.

The Influence of the Far-Right

Increasingly, there has been a growth of far-right elements who have deliberately and cynically infiltrated and manipulated concerns at proposals to locate direct provision centres in rural villages and small towns across Ireland. In the context of COVID, such protests have diminished but this has not stopped the spread of hatred, racist rhetoric, hate speech and division online. Communities need to be supported and equipped to recognise and stand against such mobilisation.

We call for clear actions to be set out in the Plan to challenge far right mobilisation, messaging and action including supports for communities.

Addressing Systemic Racism

Addressing systemic and structural racism must be a priority for this Plan. The Plan needs to acknowledge first and foremost that institutional racism exists and that the way to address it is by

working with BME communities to strengthen their voice and work towards the development of services that are truly intercultural and inclusive.

We call for the focus of this Plan to be firmly placed on public institutions with a strong emphasis on the Public Sector Duty as a key tool in ensuring that all public sector bodies place human rights including anti-racism and equality are at the core of all that they do. In addition, the Plan should reaffirm and endorse the UN CERDs definition of racism and the understanding of racism as articulated in the Interim Report of the Anti-Racism Committee which notes that 'Racism occurs in many areas of society and affects many aspects of people's lives. Racism is embedded in structures; reflected and reproduced in institutions; practices, policies and cultural norms, and through them has the effect of excluding or discriminating against individuals or groups, based on their race or ethnicity (including nationality and membership of the Traveller community)…This systemic racism is manifest in the ways that it prevents people from enjoying their rights across many domains, including their economic, social and cultural rights, as well as their civil and political rights'.[2]

Hate Crime Legislation

Whilst policy, practice and legislation such as the Equal Status Acts, the Employment Equality Acts and the Equality and Human Rights Act all have an important role to play in addressing racism and promoting equality and human rights, the absence of coherent and robust hate crime legislation in Ireland makes us an outlier in Europe and fails to offer adequate protection to those who experience such crimes.

We call for the urgent finalisation of the hate crime legislation currently before the Oireachtas, ensuring that it's understanding of racism is that outlined in the NAPAR interim report and that it adequately addresses all forms of racism. Implementation must be prioritised and integrated where appropriate with implementation of the National Action Plan.

Employment

Addressing racism in the labour market must be a focus of the Plan. 'Although there is little mention of whiteness in the public discourse on labour market outcomes, inequalities and discrimination, continues to be a silent but key factor in recruitment, promotion and labour market experiences'[3]. Travellers too, experience significant levels of unemployment attributed to systemic racism and exclusion in the education and employment sectors.

We call for positive action measures including targets for the employment of people from Black and Minority Ethnic communities in all public bodies. In addition, the Plan should set out a strategy for engagement with the private sector to address these issues.

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[2] https://www.gov.ie/pdf/?file=https://assets.gov.ie/132151/ed3f39e2-4aa1-4991-aa06-52beae8310db.pdf#page=null

[3] https://inar.ie/the-centrality-of-race-and-whiteness-in-the-irish-labour-market/

Education

The Education system plays a key role in challenging or reinforcing negative or positive attitudes to diversity. A core aspect of ensuring that this role is a positive one must include a focus not just on diversity within education settings but on the curriculum itself.

Educational institutions must ensure diversity exists on every level by ensuring diverse enrolment, integrating classrooms, and crucially, implementing curricula which reflects the history and culture of students of all backgrounds[4].

Whilst many students from BME communities experience educational disadvantage there are others who do not. Ensuring equality of access, participation and outcomes from the education system requires special measures for those who are most marginalised and experience the highest levels of poverty and social exclusion within BME communities.

We call for: A refocus on the curriculum at all levels to ensure a clear reflection of the history, literature and experiences of BME communities in Ireland. In addition, we call for special measures to be included in the Plan which prioritise and ensure equality of access, participation and outcome for students from BME communities who experience the highest levels of poverty, social exclusion and inequality.

Implementation of The White Paper on Ending Direct Provision

Whilst welcoming the commitment by this Government to end direct provision, there will be challenges associated with this move in ensuring that this process is managed in a way that promotes inclusion, integration and social cohesion as opposed to hardening attitudes against asylum seekers. The NAP needs to take cognisance of this and set out clear direction in this regard.

We call for co-ordination and cohesion between this Plan and the implementation plan/process for the White Paper on Direct Provision ensuring a strong prioritisation and anti-racist and social inclusion actions in the implementation of the White Paper.

Racist Reporting Mechanisms

Whilst acknowledging the importance of the role that the Irish Network against Racism's ireport plays in monitoring and tracking racist incidents, this role should not be left to NGOs and the Gardaí. Other state bodies too have a role to play in this regard and should be supported and resourced to fulfil this function.

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[4] https://tcf.org/content/commentary/diversity-schools-must-include-curriculum/?agreed=1

We call for measures in the Plan which create a role for public bodies including for example local authorities, schools, universities and hospitals in tracking and monitoring racist incidents through the development of simple, clear and accessible racist reporting systems to be implemented by public bodies.

Training and Awareness Raising

Mandatory anti-racism training at pre – service and in-service levels for key personnel in public bodies is essential to address both the conscious and unconscious bias which has a hugely negative impact on the lives of members of Black and Minority Ethnic Communities.

In addition, members of BME communities and in particular those in direct provision require rights awareness training to ensure that they can self-advocate and gain the supports that they need in exercising their rights.

We call for action in the Plan to develop QQI accredited anti-racism training as well as Awareness of Rights training for BME communities in particular those in direct provision.

Data

Community Work Ireland welcomes the recognition in the consultation document that 'Ethnic equality monitoring is a key tool in uncovering the prevalence of racial discrimination and its impact on lives', and the commitment therein to 'adopt a consistent approach to the collection of ethnically disaggregated data by public service providers and others'[5]. Capturing ethnicity data is important in establishing baseline across a range of social and economic indicators, measuring progress and providing strong evidence for policy making.

We call for a clear framework to be set out in the Plan for the collection and collation of ethnic data in all public bodies within a strong human rights framework.

Institutional Mechanisms

Robust Institutional mechanisms and supports are required to ensure meaningful and effective action can be taken to challenge racism and build an inclusive and antiracist society in Ireland.

The closing down of the National Consultative Committee on Racism and Interculturalism in 2008, which for 10 years was the government advisory body on racism, was a retrograde step at a time when Irish society was becoming ever more diverse and when racist incidents were on the increase and attitudes were hardening. Its role was to report and monitor racist incidents (a role now undertaken by INAR) work at policy level with agencies, conduct extensive research and analysis, support antiracism action at community level through the provision of grants and other supports, promote interculturalism and Traveller awareness and design and deliver anti-racism training for

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[5] https://www.gov.ie/pdf/?file=https://assets.gov.ie/132788/85f75bfc-0154-46f7-b947-f25513e9070a.pdf#page=null

state agencies. Despite claims at the time that this work would be mainstreamed into Government there is little evidence to show that this has been the case.

Ireland's record in Europe as a leader in developing ways to promote inclusion and equality needs at this difficult time to be reinforced not dismantled. For this to happen strong institutional mechanisms with adequate resourcing will be imperative.

We call for the establishment of an independent oversight and monitoring body with the authority, resources and capacity to oversee implementation of the NAPAR including indicators and timelines and with a key role in supporting research and information, anti-racism training and policy.

We call for assurances in the Plan that the provisions contained therein apply to all residents in Ireland including asylum seekers and Refugees.

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COPE Galway welcomes the opportunity to make a submission in relation to the "*Towards a National Action Plan Against Racism for Ireland*" Public Consultation 2021.

This consultation will primarily focus on the question, "What measures would help to address racism in access to accommodation?"[1].

A 2018 report from the Dublin Region Homelessness Executive found that of the families who entered homelessness in the Dublin region in 2016 and 2017, 32% and 33% respectively were non-Irish national families[2]. The 2016 census found that 14.1% of the usually resident homeless population were non-Irish, compared with the entire population where the proportion was 11.6%[3].

COPE Galway has witnessed an increase in people who are rough sleeping in Galway City since 2018. A large proportion of these individuals are from migrant backgrounds and from our interaction and engagement with them, they can experience barriers when attempting to access services that can assist them in transitioning from rough sleeping.

The Housing Act 1988, states that once a person satisfies its definition of homelessness[4] responsibility is placed on local housing authorities to consider the needs of those who are homeless and they may

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[1]Towardsa National Action Plan Against Racism for IrelandPublic Consultation2021. 5
[2]Morrin, H. O'Donoghue, Dr B. April 2018. A Report on the 2016 and 2017 Families who experienced Homlessnessness in the Dublin Region.Dublin Region Homeless Executive. Dublin
[3]Central Statistics Office.Census of Population 2016 – Profile 5 Homeless Persons in Ireland. Available at https://www.cso.ie/en/releasesandpublications/ep/p-cp5hpi/cp5hpi/nat/ Accessed 31/05/2021
[4](a) there is no accommodation available which, in the opinion of the authority, he, together with any other person who normally resides with him or who might reasonably be expected to reside with him, can reasonably occupy or remain in occupation of, or

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accommodate those individuals from their own housing stock or through arrangements with a voluntary body. Local authorities can also provide money to individuals who are homeless to source their own accommodation. In addition, the act empowers local authorities to provide funding to voluntary bodies for the provision of emergency accommodation and long-term housing for individuals who are homeless[5].

Our homeless services operate at capacity, with little or no opportunities to provide one night only or "crash" facilities outside of the operation of a seasonal Cold Weather Response. In our experience, migrants who are rough sleeping will be refused access to emergency accommodation on the basis that they do not have a centre of interest or have a local connection, making it difficult to transition out of rough sleeping into more secure and stable accommodation, leaving individuals dependent on the services we are providing. The absence of a one night only provision, means those who rough sleep have extremely limited options and risk rough sleeping long term.

In our experience, aside from exceptional reasons, many individuals are refused emergency accommodation based on their ineligibility for social housing. This is linked to having no centre of interest or local connection to an area and again this is impacting on migrants.

While these policies may be applied nationally and are not intended or designed to exclude individuals from accessing housing and homeless services due to race or ethnicity, they can indirectly discriminate against

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(b) he is living in a hospital, county home, night shelter or other such institution, and is so living because he has no accommodation of the kind referred to in paragraph (a),
and he is, in the opinion of the authority, unable to provide accommodation from his own resources
[5] See Dublin Region Homeless Executive. Policy and Legislation. Available at https://www.homelessdublin.ie/info/policy. Accessed 14/07/2-21

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migrants, and do not take into consideration the many complex reasons that may have led to an individual presenting to an area and requiring the supports of homeless services, such as trauma and discrimination.

In terms of measures that would address these issues, COPE Galway feels the removal of the centre of interest criteria and linking of approval for services to social housing eligibility would help to address this. This must be coupled with the provision of adequate numbers of emergency beds to ensure supply for all those in need.

In Census 2016, 517 individuals who were homeless, identified as Irish Traveller[6], making up 7.5% of those who are homeless. Yet, Irish Travellers represent 0.7% of the general population[7].It is widely acknowledged that members of the Travelling community face discrimination when accessing the private housing market[8].In our experience, Traveller households will spend longer periods of time being accommodated by homeless services.

COPE Galway acknowledges that capital budget of €14.5m for Traveller Accommodation was drawn down in full in 2020[9], however it is important to note that over a third of new units provided were mobiles for self-isolation purposes rather than long accommodation[10]. As of October 2020 nine local authorities had not

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[6]Central Statistics Office. Census of Population 2016 – Profile 5 Homeless Persons in Ireland. Available at https://www.cso.ie/en/releasesandpublications/ep/p-cp5hpi/cp5hpi/nat/ Accessed 31/05/2021

[7]Central Statistics Office. 12 October 2017. Press Statement Census 2016 Results Profile 8 - Irish Travellers, Ethnicity and Religion. Available at https://www.cso.ie/en/csolatestnews/pressreleases/2017pressreleases/pressstatementcensus2016resultsprofile8-irishtravellersethnicityandreligion/ Accessed 31/05/2021

[8] See Grotti, R. Russell, H. Fahey, E.Maître, B June 2018. Discrimination and Inequality in Housing in Ireland.Irish Human Rights and Equality Commission.

[9]https://www.kildarestreet.com/wrans/?id=2021-01-27a.912

[10]10 Irish Human Rights and Equality. Commission February 2021. Submission to the Joint Committee on Key Issues affecting the Traveller Community.9

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drawn down any funding[11]. COPE Galway welcomes the announcement that €21.3 million has been allocated to the Traveller accommodation programme for 2021[12]. Inconsistencies between drawn down by local authorities must be examined.

Addressing homelessness within the Travelling community, through the provision of social, affordable and Traveller specific accommodation are measures that can help address these issues.

Invest in homeless prevention measures.

Address issues such as societal prejudice that can lead to discrimination, through education and awareness raising.

The provision of culturally appropriate housing and homeless services should also be considered.

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[11] As stated by the Minister for Housing, Local Government and Heritage in Traveller Accommodation, DáilÉireann Debate, Wednesday - 21 October 2020. Available at https://www.oireachtas.ie/en/debates/question/2020-10-21/110/#pq_110 Accessed 07/07/2021

[12] As stated by Minister of State at the Department of Housing, Local Government and Heritage, in Traveller Accommodation: Statements. Tuesday 17 Nov 2020. Available at
https://www.oireachtas.ie/en/debates/debate/seanad/2020-11-17/23/ Accessed 07/07/2021

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Crosscare Submission to the National Action Plan Against Racism for Ireland, July 2021

Introduction:

Crosscare is the Social Support Agency of the Archdiocese of Dublin. Our work includes interventions in the areas of homelessness, food and community needs, work with migrants and refugees and work with young people. In 2020 9,514 people in 4,459 households from 122 countries benefited from Crosscare's information and advocacy service [1]. Crosscare works with people who have complex and multiple needs, experience a high degree of social isolation and find it difficult to access appropriate services and support. Our supports are for all people regardless of their ethnicity, nationality, religion, beliefs, or sexual identity. We welcome the opportunity to make a submission to the National Action Plan Against Racism for Ireland.

Overarching Recommendations:

1) Commit to implementing equality, diversity and inclusion training (EDI) across all public services by 2022, including local authorities.

2) Ensure all policies and practices relating to housing and homeless services (emergency, social and private sector) are audited to assess if they directly or indirectly lead to segregation and enact laws to prosecute housing providers if their actions are racist or exclusionary.

3) Establish a legal right to interpreter and translation supports where needed across all public services.

Specific Recommendations:

Issue 1: Crosscare is aware of people experiencing difficulty accessing public services and experiencing racism within public services, for example Dept. of Social Protection (DSP). The current DSP complaints portal is for general complaints, and provides no possibility for racism to be flagged as an issue. In our experience, assisting clients to submit complaints which included the experience of racism, the DSP resolutions did not acknowledge or address the element of racial discrimination and responded to the complaint in a general manner. Therefore, the issue of racism appeared to be filtered out or ignored.

Recommendations:

- Implement equality data collection on public services. We believe that it is impossible to identify patterns of discrimination without generating data - either

quantitative or qualitative. Ireland has a legal duty of equality data collection on public bodies. It should be carried out sensitively with consultations with NGO groups working with ethnic minorities. The data collected should be used to identify how ethnicity impacts on the outcomes people receive from using a public service, with the objective of identifying and eliminating discriminatory barriers.
Ref. -https://equityhealthj.biomedcentral.com/articles/10.1186/s12939-019-1107-y

- Ensure that both interpreter services and access to translated printed/web materials are available throughout all public services.
- Develop a common complaints system that has a specific route for racism related complaints and compile statistics on complaints of racial discrimination
See: Crosscare's *Do You Speak English* https://www.migrantproject.ie/wp-content/uploads/2018/12/Do-You-Speak-English.-A-Study-on-Access-to-Public-Social-Welfare-Offices-in-Ireland.-Crosscare.2018.pdf)

Issue 2: We are aware that the state is developing a new national strategy on Domestic, Sexual and Gender-based Violence following an audit carried out in early 2021. It is hoped this will include references to the submission that Crosscare made to this audit highlighting the difficulty of migrant communities in accessing gender- based violence-related support services. Additional difficulties are experience by migrant communities of non-binary/and transgender backgrounds.

Direct provision centres are not always perceived as sites where domestic violence can occur. However, it often does. Some centres do not have accessible information on what supports victims can access.

Recommendations:

- Crosscare recommends that the proposed anti-racism strategy is explicitly linked to the forthcoming DSGBV strategy, specifically regarding access to relevant support services.
- We also recommend that these services are explicitly made available to people experiencing GBV in Direct Provision and homeless services.
See: https://lgbt.ie/wp-content/uploads/2019/05/LGBT_Ireland_Oireachtas-submission-29.5.19-1.pdf

Issue 3: Crosscare is aware of the long term, multi-generational impact of direct provision, particularly in areas related to housing and integration.

Recommendations:

- Crosscare looks forward to the implementation of the recommendations of the Report of the Advisory Group on the Provision of Support, including Accommodation, to Persons in the International Protection Process ('Day Report').
- Crosscare believes that a system which mainstreams access to housing, the labour market and social supports for asylum seekers will have a net positive effect, reducing the likelihood of homelessness or poverty upon exiting direct provision. Crosscare recommends that future alternatives to direct provision be subject to audits and independent scrutiny to ensure that they function with an anti-racist

framework. We recommend that the new National Action Plan Against Racism includes a mechanism to monitor the development and implementation of the alternative to direct provision, to ensure the construction of a human-centred and explicitly anti-racist system is built.

See: Crosscare's *Coming Home in Crisis* (https://www.migrantproject.ie/wp-content/uploads/2019/10/Crosscare-Migrant-Project_Coming-Home-In-Crisis_Oct-2019.pdf)

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[1] Crosscare Information and Advocacy Services comprises Crosscare Housing and Welfare Information, Crosscare Refugee Service and Crosscare Migrant Project – see: www.crosscare.ie, www.migrantproject.ie, www.livinginireland.ie

Cultur Migrant Centre

Submission to the National Action Plan Against Racism

12 July 2021

Cultur Migrants Centre

St. Anne's Resource Centre

Railway St, Navan

County Meath

C15WOYX

http://www.cultur.ie

1. Introduction

Cultúr Migrant Centre Navan is a community organisation that works with migrants, asylum seekers, refugees, undocumented migrants and ethnic minority groups in Co. Meath and the surrounding areas. We welcome the opportunity to submit our views on the proposed National Action Plan Against Racism. We are delighted to see the commitment and progress made by the Anti-Racism Committee. After a wide consultations with individuals and groups we work with we have narrowed down our submission to focus on the 4 key areas related to policing in an increasingly diverse and multi-ethnic society: 1. **the policing of ethnic minority communities, 2. effective community relations with minority communities including the ability to respond appropriately to racist hate crimes, 3. the internal composition, ethos and culture regarding Human Rights and diversity, 4. recruitment of ethnic minority officers**.

Recommendations:

1. Call for implementation of the actions recommended in the *Legislating for Hate Speech and Hate Crime in Ireland, Report on the Public Consultation* published in 2020 by the Department Justice.
2. Call for the criminalisation of racism and xenophobia. Council Framework Decision 2008/913/JHA correctly identifies racism and xenophobia as direct violations of respect for human rights. While there exists a legislative prohibition on hate speech in Ireland in the form of the Prohibition on Incitement to Hatred Act 1989 (the 1989 Act), its effectiveness has been called into question.
3. Call for the urgent need for **full transparency, strategic review**, proper oversight, adequate mechanisms of accountability, measures to ensure adherence to human rights principles and other means:

✓ The new action plan should ensure An Garda Síochána develop clear Human Rights, Diversity, Equality and Hate Crime (HRDE&HC) policies that are understood and internalised by all officers and well publicised with the public to have operational and procedural clarity for dealing with racist crimes.

✓ A racist incident strategy needs to be put in place in all mainstream services, with a dedicated officer in each agent to respond to racist reports.

✓ An Garda Síochána must develop clear hate crime reporting standards in agreement with Civil Society and International organisations and communicate these publicly.

✓ Statistical data should be collected and published on the number of incidents reported by the public and recorded by the police, the numbers investigated and the outcomes of those investigations.

✓ There must be clear, simple, well communicated, and accessible procedures for reporting racist crimes, based on agreed definitions, developed in conjunction with civil society organisations and minority ethnic communities.

✓ Encouraging and facilitating reporting must be included as one of the priorities within the new action plan about the promotion of adherence to Human Rights and reporting on their infringement.

4. **Culture of policing in respect of ethnic minorities:** Police officers are a susceptible to the same prejudices, assumptions and blind spots as the wider society from which they are drawn. There is an urgent need of attention in respect of the promotion of human rights and equality. Human rights training is an essential part of a modern public service, but particularly urgently needed in the functions of policing. Therefore, training on cultural sensitivity and cultural awareness on a regular basis would be strongly indicated.

5. **Collaboration** with non-police organisations would further provide safe spaces to report and access support with Garda and criminal justice process of redress. A holistic approach to hate crime that seeks to involve all the key agencies, and to combine a focus on offenders, victims and communities, is an important strategic priority. Barriers to this include organisational culture, lack of existing collaborative working practices across agencies and lack of resourcing of that work.

6. **Support for victims:** iReport.ie data shows that in Ireland ethnic minorities are less likely to be identified as victims, and less likely to be directed to victim support services, and there are no state-supported specialist services for victims of racist incidents and no training on racist crimes and their impacts among contracted victim support agencies.
Victims of hate crime Under the Victims Directive, victims of racist and other hate crimes are entitled to the same rights as other victims during the process. According to the data from INAR, significant inequalities in access to these rights for victims of racist crimes, and ethnic minority victims occur more widely.

7. **Risk assessments for repeat harassment and escalation**: good policing practice requires risk assessments for repeat harassment, and in the cases of repeat incidents, a harm reduction strategy to be drawn up for each case. An Garda Síochána have introduced such assessments for domestic violence cases.

8. **Increasing trust among ethnic minorities in the police service**: Levels of trust in Gardaí to address racism are low, and the high number of reports, which indicate that the incidents are part of an ongoing pattern of racism, particularly those which have escalated to violence over a period, demonstrate that Garda efforts to tackle racism before it escalates need to improve. Even where cases are attended by Gardaí in accordance with good practice, there is evidence that the responses are inadequate to protect victims from ongoing abuse and violence. According to the I-Report, trust in Gardaí to act after previous incidents was the most mentioned reason for not reporting. Moreover, hostility of the officers in response to the reporting of racist incidents including doubting or disbelieving the victims was frequently mentioned in the report.

9. **Addressing institutional racism**. iReport.ie findings confirm institutional racism in An Garda Síochána.

10. **Call for recruitment of ethnic minority officers**.

We believe that a human rights and anti-racist culture should be embedded as part of the ongoing work of the Anti-Racism Committee ARC. We advocate for the mainstreaming of human rights and anti-racist practice in training, practice and appraisal throughout Irish state institutions, including the civil service and An Garda Síochána

From: Department of Applied Social Studies, Maynooth University
To: National Action Plan against Racism Consultation

1. We welcome the government's commitment to put in place and implement a National Action Plan against Racism. We welcome the fact that it is national, the fact that it is an action plan and the attendant focus on implementation and the monitoring of the Action Plan's implementation.

2. We welcome the definition of racism drawn from the work of the UN. The definition of racism adopted in this National Action Plan must capture the multiple racisms that exist in Ireland today, both colour based and culture-based racisms.

3. We welcome the indications and urge that the definition of racism encompasses the manifestations of racism at individual, institutional, cultural and structural levels.

4. We welcome the thematic focus on access to justice, all forms of media and communications, employment, education, health, accommodation, inclusion and participation.

5. We recognize that in any National Action Plan that addresses Racism, the government needs at times to strike a balance between addressing differences in experience generated by racism and fostering inclusive national unity. In previous times this was referred to as the balance between race equality and 'good race relations'. What follows is framed in an appreciation of that wider societal challenge.

6. The Department of Applied Social Studies is an applied Department within Maynooth University which is committed to advancing social justice, human rights and equality through excellence in education and applied research of relevance to the social professions of Community Work, Youth Work, Social Work and to Social Policy. The Department has over 40 years experience in the fields of education, research and public contributions in the field of anti racism and race equality in Ireland and internationally.

7. In this context and in the context of welcoming the overall initiative we make the following points with a view to maximizing the focus and strength of the Action Plan:

Law and IHREC

- Keep the Equality & Human Rights legislation under review and recommend to government a review to keep the law aligned to best international practice.

- Specifically recommend to the IHREC and government a review of the public sector legal duty to promote equality and protect human rights. This review should focus on strengthening the public sector duty to deliver on substantive equality. We make this recommendation given the limited publicly available evidence of its impact 7 years on from implementation.

- Recommend that the IHREC strike a better balance in its strategic work between strategic promotion of equality and human rights and strategic enforcement of legal duties. The IHREC should make better use of named sectoral strategic formal inquiries to drive change in a sector e.g., race equality in employment in the health service.

- Recommend that IHREC strengthen its public communications strategy in order that wider society, minoritised communities, the public, private and voluntary sectors are appraised of what it is doing.

Race Equality Monitoring, Indicators and Public Reporting

- Government should prioritise the development and implementation of ethnic monitoring across the main public services in education, employment, housing and accommodation, health, civil justice and criminal justice. The results of ethnic monitoring should be publicly reported annually and acted upon to address significant race disparities.

- Government should set a standard on ethnic monitoring for the private sector to follow. They should work with agencies such as IBEC in taking this forward. Government should include clear expectations of ethnic monitoring when procuring public services from the private sector.

- Government should work with the community and voluntary sector in setting a standard on ethnic monitoring for this sector.

- Informed in part by the results of ethnic monitoring, Government should produce in time a set of Race Equality Indicators, 10 to 15 key indicators of progress on tackling racism and advancing race equality. Progress against these indicators should be publicly reported on annually.

- There should also be established a system of twice-yearly public reporting of progress on the implementation of the National Action Plan against Racism. The progress reporting should be achievements focused.

Focus and approach within the Action Plan

- There is value in the National Action Plan pursuing an approach that allows for both commonalities and specificities in different communities' experiences to be addressed. In practice, this is likely to mean common elements focused on law, monitoring etc. It is also

likely to mean having a community-specific focus where required e.g. a specific focus on anti-Traveller racism, a specific focus on anti-Black African racism. In this context it is also important that the National Action Plan does not address ethnic minority groups as homogenized groups but recognizes and addresses the issues of intersectionality, the diversity within specific ethnic groups and the diversity of the diversity within Irish society today.

Priority areas for focus within National Action Plan

This consultation invites consultees views on areas for focus within the National Action Plan. Given the scale of progress required across all areas of life in Irish society this is a challenging question to respond to. That said, we would identify the following three areas as central to wider long-term progress:

- **1.Pursuing a practical achievements and social outcomes focus in all areas of the action plan. Take concrete actions to achieve practical steps.**

- **2.Prioritise Education**

- **3.Prioritise Employment**

- Advancing race equality in education

- Advancing race equality in employment

- We recommend that in education and employment the focus is on race equality in applications, entry, experience including review and refinement of curriculum content, progression and exit.

- We prioritise race equality in education and employment given their central role in obtaining a livelihood and in social mobility. They are the bedrocks on which the vast majority of people build sustainable lives. They are often key influences on housing and accommodation, health and wellbeing and experiences with the justice system.

- **Also focus on Health, Justice, Accommodation and Housing, Inclusion & Participation**

Health

- In the Health area there is a merit in pursuing an approach that takes into account the wider set of factors and systems shaping daily living conditions that influence health outcomes ,within and between groups and communities
- In Health we recommend a dual focus on race equality in employment and in service provision. We recommend the monitoring of race equality in employment and employment experiences in the health sector for all professional, patient care and administrative staff. We recommend the addressing of significant racial disparities. In

Health services more widely we recommend the ethnic monitoring of key indicators of population heath such as mortality ratio, morbidity ratio and life expectancy. We recommend the addressing of significant racial disparities where they arise.We also recommend the development and resourcing of health conditions that may manifest at higher levels in particular ethnic groups.

Justice

-   In the Justice area we recommend the introduction of ethnic monitoring of policing contacts, arrests, charging, convictions, sentencing and imprisonment. We recommend the addressing of significant racial disparities where they arise.

-   Also in the Justice area it is of central importance that the government progress the current Hate Crime Bill. There is in our view a serious shortcoming in the Hate Crime law as proposed. That is the proposal to make Hate crime cases dependent upon a legal test of proof of motivation. We recommend that this is amended to also include a legal test of proof based on demonstration of hostility at or around the time of offending. The overall test of proof in Hate Crime cases should be a test of motivation and or demonstration of hostility. Without this we risk ineffective Hate Crime law in Ireland.

Accommodation and Housing

-   Available evidence indicates that ethnic minority communities often face racial discrimination in the housing sector. This is one of the sectors in which there is very stark anti Traveller racism. There is a need to deliver a step change in the state's leadership on accommodation for the Travellers. The need to provide culturally appropriate accommodation for the Travellers needs to be an enforceable duty with significant penalties attached. Softer measures have been pursued over years and failed to deliver substantive accommodation progress. There also needs to be a wider race equality strategy for the housing sector which includes a statutory non discrimination code for the private rented sector and measures to equalise access to housing finance including access to the mortgage market.

Inclusion and Participation

-   In the area of Inclusion and Participation we recommend that all national and local state consultative and participation bodies be expected to and be appropriately resourced address inclusion of ethnic diversity at all levels of governance, management and staffing.

-   We also recommend that the **political parties in Ireland** should be invited and encouraged to sign up to an anti-racism and race equality pledge which commits to encouraging political participation across all ethnic groups. Political parties should prioritise ethnic diversity in candidate selection as is beginning with gender diversity in recent years.

-   In the area of wider **Inclusion and Participation we recommend that national events, exhibitions, museum and gallery collections be reviewed to reflect ethnic diversity**. This could start with St Patricks Day. There could and should be developed a permanent

museum exhibition on the Peoples of Ireland which traces ethnic diversity in Ireland through the ages and right up to contemporary times. This permanent exhibition could be accompanied by an educational textbook, The Peoples of Ireland.

Other areas for consideration

- Another area for consideration is the setting of **public sector employment** targets to achieve a workforce that represents the communities of Ireland today. With the exception of the health service, there is a recognized significant under representation of ethnic diversity in the public sector. This is striking in the civil service, in local government, in the criminal justice sector, in the educator sector and in the state broadcaster, RTÉ at all levels. This risks impacting affinity with state institutions if this is allowed to endure – it risks undermining societal unity and social cohesion.

- Fostering **responsible, respectful and inclusive media reporting on issues of race, race equality and ethnic diversity**. The media have a responsibility to report on and reflect the society they write and report amongst .There is significant under representation of ethnic minorities in the governance, management and staffing of the media in Ireland. There are thus, not surprisingly concerns about some media reporting which can racialize issues unnecessarily by irrelevant references to e.g., offenders' ethnicity where their ethnicity is not relevant to the substantive crime. There is a need for a state supported anti-racism and race equality pledge to be promoted amongst all media outlets in Ireland, print, broadcast and digital.

Department of Public Health East Submission to

'Towards a National Action Plan Against Racism for Ireland Public Consultation 2021'

Department of Public Health East, Dr Steevens Hospital, Dublin 8, Ireland

July, 2021

Lead: ███████████

Collaborators: ████████████████████████

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Contents

Background

We welcome the chance to contribute to this consultation on such an essential issue as racism, and welcome government efforts to reduce the effects of racism in Irish society. From a Public Health point of view, the effects of discrimination and racism can have massive health implications on individuals, families, groups and communities. Outside of this, the tolerance of any form of discrimination is a compromise of basic human rights, and we believe that all possible measures should be taken to promote equality. We believe that it is not enough to be passive and neutral in the fight against discrimination and racism, active anti-racism is required of all individuals committed to equality. It is in this spirit that we wish to lend our opinions to this consultation, to allow all people and communities to thrive in the Republic of Ireland. The points raised are by no means exhaustive, and are based on experiences of team members in the Department of Public Health East in Dublin.

Discrimination and racism can take on endless forms. Racism's most obviously face is violent and dangerous, but the visual tip of the iceberg is this form; there is an extremely significant, more pervasive, more insidious form of discrimination and racism that works through societies and institutional structures. The face is much more hidden, so much so it may go completely unnoticed by those not experiencing it. This more hidden, more subtle form of racism is of extremely significant importance and is not well understood, reported or documented.

The impacts of discrimination and racism are myriad. There is the overt physical danger to individuals and communities but outside of this more obvious manifestation of racism, there are more far-ranging impacts; the non-consideration in job opportunities, the lack of representation in institutions catering for varied communities, the acceptance of casual racism within language and humour and the alienation of minority populations, the Travelling Community and people of colour from fully being able to enjoy a safe and enabled experience in society. The pervasive lack of opportunity experienced by minority populations can result in internalised shame and self-esteem issues that are associated with poor mental and physical health. These are things that vulnerable populations may feel, and may carry with them, but can go unacknowledged by others not experienced with how more pervasive forms of discrimination and racism operate.

In terms of health, discrimination and racism can have a devastating impact on health. Socially excluded communities and communities of colour globally and locally can have very different health outcomes to other populations. Life expectancy has been demonstrated to be much lower in communities of colour in countries similar to Ireland, such as Australia[1], Canada[2], New Zealand[3] and The United States[4]. In the United Kingdom, it has been shown that some communities of colour, on average, lived less of their life in health, and had a lower "healthy life expectancy"[5]. Many factors contribute to influence these outcomes, including past histories of discrimination and racism, institutional factors, and distrust. Of particular relevance recently, a woman of colour in the UK, when interviewed by ▮▮▮▮▮▮, cited distrust of government and authority in Britain as a key driver of her Covid-19 vaccine scepticism[6]. Such differences in health outcomes are a local issue also. The 'Our Geels' report showed that the Travelling Community in Ireland suffered a higher rate of morbidity and mortality, stating "age-specific mortality rates suggest excess rates at all ages for both Traveller men and women"[7]. Further to this, the report states:

"Travellers at all points of interface report higher levels of discrimination than expected and lower levels of trust in others and in health service providers. Even if this was a collective misperception and had no basis in objective fact, such a perception is likely to lower a sense of efficacy and self esteem and this is damaging to mental health and wellbeing... Regrettably, it is all too likely that there is a very real basis to this perceived discrimination...

"Many Traveller advocates see racism and discrimination as the root cause of ill-health in the Traveller community"[7]

The report also mentions that service providers noted that there was discrimination in the service provided[7]

Discrimination and racism are issues that are closely interlinked with the issue of social class, whereby people of colour may naturally fall into lower social class status due to lack of opportunities and resources available to them. The way that society currently functions leads to wealth inequality. Policies and legislations reflect this and as a result marginalised groups are designed to stay in the receipt of support of those with more wealth. Understanding the history of the development of race as a social construct and the development of capitalist society helps to understand how pervasive and systemic racism is. All marginalised groups in Ireland, including the Travelling Community and people of colour, as well as white socially-disadvantaged, disabled, neurodivergent and LGBTQ+, are facing shared experiences of discrimination. A universal approach to intervention can act to bring communities together with a common goal. Alongside this, it is important to specifically address the needs of each community.

The causes of discrimination and racism, and the health outcomes are complex, pernicious and of great importance, globally and locally. **Promoting the health of all people, groups and communities in the Republic, and enabling all people to thrive in our society, can only have positive outcomes for society and the people in society.** This should be done, regardless of race, and not merely as an equity measure, but through a societal shift that sees race as a human construct intended for segregation, rather than with a basis in any sort of fact.

The impacts of racial discrimination and inequities on the mental health of victims have been well documented and the long-term effects of this on the wider health outcomes of communities of colour are many. The fear of discrimination has affected the health seeking behaviours of peoples of colour and the Traveller Community, and the high mortality and morbidity rates of these sets of people is a direct consequence of this unfortunate scenario[8]

It is through this lens that we submit our opinions for this public consultation, acknowledging this complex system of interactions, causes, effects and limitations, that can produce expected, as well as unexpected, outcomes for the victims. This is on the background of a far-reaching, complicated, exploitive history that has formed the basis for the systems we now live in. As we have previously stated, we believe that all efforts should be made to eliminate discrimination and racism, and we believe as public health clinicians, we should do everything in our power to advocate and enable all people in society, regardless of their affiliations, traits and community memberships.

To provide a framework for our response, we have split this consultation into two sections; general measures to address racism, and specific recommendations related to public health.

General Measures to Address Racism

Discrimination and racism are extremely complex systems, where no single intervention is likely to make sweeping positive effects on its own. While a whole system response, operating across all sectors, levels and departments is needed, there are specific recommendations that we, in our capacity, believe are beneficial to improve the current situation in Ireland.

Governance and Systems

Diversity Quotas

Diversity quotas are currently implemented in jurisdictions around the world, and have been identified in the Anti-Racism Committee Interim Report as an action area. The rationale behind these quotas is that promoting diversity allows outputs and outcomes of an organisation to innately be more inclusive, more considered, and more respectful of all communities. The diversity of experience is more likely to produce positive outcomes which reduce discrimination and racism. In addition to this, prospective people looking to enter these organisations and institutions may be dissuaded from applying, entering or interacting with these if they perceive that the providers will not be understanding of their needs, or worse still, be hostile to their background. Repairing mistrust and apprehension in society will take time, but inclusion of all people, groups and communities will help.

Aiming for diversity quotas is important in health and healthcare also. As healthcare concerns the entire population, it is logical that the providers of the service can meaningfully include all populations. People with unique insights and experiences are an asset to the functioning of society and institutions, exclusion of any people is a lost opportunity.

Of note, educational disadvantage means that some marginalised groups, such as the Travelling Community, are unable to apply for jobs and further education, with flow on effects on representation at these levels. This is relevant in this section of this submission, as well as the sections on Education and Healthcare.

Linked to diversity quotas, specifically in the healthcare system is the issue of training of foreign healthcare workers in Ireland. Currently, significant barriers exist for foreign-born, and foreign-trained health professionals (including doctors, nurses and others) to further train or assume certain positions of leadership in Ireland. These problems relate to accessing places on specialist training programs and the number of training programmes available. For diversity to be promoted, the access of non-Irish healthcare professionals should be improved.

Recommendations:
1. Diversity quotas for government institutions, guidelines and possibly legislation for private institutions, including those which receive government funding

2. Consideration of alternative routes to employment (explored further below)

3. Improving training opportunities for non-Irish healthcare workers, and promotion of a diverse workforce, through working with healthcare training programs to increase availability and access to training

Public Awareness

As certain types of discrimination and racism are only obvious to the victims, public awareness campaigns, in addition to tackling overt forms of discrimination and racism, should also include the effect of these not-so-overt forms of racism, such as job exclusion, casual racism and stereotyping.

Recommendations:

1. Public awareness campaigns around non-overt forms of discrimination and racism

2. Continued and increased public representation of minority populations within advertisement campaigns, and within goods and services

Policy on Equality Proofing

Equality proofing is an integrated and systematic approach to ensure that discriminated and marginalised groups are provided with the necessary means and resources to participate in society as equal citizens[9]. A range of recommendations have been proposed to guide responses aimed at achieving a more equal and caring society[10]. These are yet to be fully implemented, decades after recommendation. As it stands currently, there is no system to ensure all groups equality proofing is carried out in Ireland.

Recommendation:

1. Full implementation of national policies in relation to equality proofing

Relationship Building

As much of the social sphere of an individual's life is made up of day-to-day interactions, the authors realise the importance of interpersonal awareness, appreciation and relationships in promotion of anti-racism. In conjunction with the above initiatives, we would also support a national encouragement of non-government events to promote awareness, inclusion and bonding between communities. This could involve local cultural appreciation days, guidelines on workplace bonding

activities, guidelines on mixing of employee work to promote interpersonal bonding and other events and initiatives that show the richness and strength of diversity within Irish society.

Recommendation:

1. Innovative national support and guidance around how communities, groups, local areas and populations can raise awareness and celebrate diversity to strength cross-cultural bonding and solidarity

Provision of Information and Services

Information and Research

Information is key to understanding the length, depth and breadth of complex, societal issues. Currently, the information and research needed to inform equality in Ireland is lacking, such as the identified deficiencies of information provision around the health and needs of the Travelling Community. Information and research are needed to understand the extent and drivers of racism at national, institutional, and local community levels. There needs to be a method to use an evidence-base to identify, inform, guide, combat and advocate against discrimination and racism

Recommendations:

1. Information on racism to be proactively sought through a range of methods, including national surveys of representative samples and academic research methods, to identify the key necessary effective anti-racism interventions

2. Qualitative research to gain understandings of the perspectives of marginalised communities, including dedicated research on the Travelling Community and communities of colour, to help guide future anti-racism initiatives

3. Research on the representation of these communities in regards to:

    a. prison systems

    b. physical accommodation quality

    c. employment status and working conditions

    d. physical and mental health statistics

    e. access to healthcare

4. Research on legislation and policy in the above areas to assess the interaction and access of minority communities with each

5. Consideration of the perspectives that inform the current academic literature, and whether these sources are also representative of minority communities (for example, are people of

colour under-represented in Irish academia and publication?), and proposing policy targets, interventions, supports, equality proofing and diversity quotas to help remedy this

6. Research on marginalised communities and intergenerational trauma and shame, and physical and mental health effects and outcomes

Education and Schooling

Internal, unconscious biases play a role in perpetuation of stereotypes and assumptions about people and communities. These can create an ongoing cycle of discrimination and racism. Many initiatives under the heading of Education would help combat biases. These include integration of education, bias training, cultural competence and cultural sensitivity training. There is a role for these outside of education also.

Integrated education could be an initiative by which stigmatisation and biases are reduced. By actively seeking diversity in school enrolment across all schools, students could, from an early age, be exposed to, and be able to identify with, people outside of their own background. We view the lack of diversity in education environments as a perpetuator of discrimination and racism.

Alongside this, cultural competency and cultural sensitivity education and training could be a useful initiative to promote awareness and appreciation of cultural differences, which should start at any early age, and continue through to tertiary education. This should also be encouraged in professional training, as Ireland is a diverse, multicultural society. As the authors of this submission have a background in Health, we would support these initiatives being scaled up in healthcare training.

Bias training is a further option to possibly reduce discrimination and racism. Currently, when people enter some organisations, such as the healthcare system, there are training modules that need to be completed prior to commencement. Bias training on race discrimination should be essential for as many people as possible.

At school level the psychology support that is currently available is Educational Psychology only. Consideration for a similar service available at school level specifically for clinical psychology, recognising the impact of poor mental health on overall development, progress in education and overall impacting on diversity in employment. (note: we recognise that Primary Care psychology services exist – however access is reliant on parent's capacity, whereby families are quickly discharged with non-engagement. Providing support at educational level within one of the child's main environments is more holistic with better outcomes)

It should also be noted here that these measures are reactive, and looking to reduce already present biases and stigmas. A proactive approach would be to integrate into curricula teachings on the development of the current systems that allow for discrimination and racism, and critical thinking on how and why these systems were developed, to understand the exploitive past of race relations, and the perpetuators of such systems.

Recommendations:

1. Education and training in education, schools and the public sectors, both as an initial requirement, and as an ongoing requirement of:

    a. bias training

    b. cultural awareness, competency and sensitivity

2. Early teaching of different cultures to school children, including integrated into already taught subjects

3. Review of the content of educational material through the lens of discrimination and race (for example, school history books) to make efforts to portray different cultural backgrounds, including the Travelling Community and people of colour, from a variety of perspectives, as this has a considerable impact on all children's initial understanding of race and identity*

4. Review of technical textbooks through this lens also, with consideration of authorship, to assess their accuracy and representation (for example, medical textbooks which may fail to recognise skin colour relating to rashes for people of colour)

* note - one of our collaborators stated people of colour "were only represented within slavery narrative when I was at school"

Employment

Employment underpins an individual's health and wellbeing, and is ranked by the WHO as a strong predictor of health. Recent Irish research by ESRI states:

"There is evidence of group differences in the experience of work-related discrimination. Specifically, women, ethnic minority respondents, those with a disability, non-Irish nationals, and non-Catholics all report higher rates of discrimination in the workplace. Research using earlier data also found higher reported experiences of discrimination seeking work among multiple groups, including religious minorities, ethnic minorities, Irish Travellers"[11]

They further reported:

"Travellers and East European migrants are at much higher risk of disadvantage around employment and have less access to what the International Labour Organisation defines as decent work"[12]

Specific policies in relation to this should be sought, due to the links between employment and health. Employment-related discrimination impacts on individual health.

Precarious employment conditions are also inextricably linked with health inequalities. The recent Covid-19 pandemic has highlighted the subpar working conditions and inequalities suffered by some workers across the globe and in Ireland[1314]. Research has shown that informal employment for the

most part is not a choice but a necessity, and these workers are generally from lower socioeconomic groups and have multiple existing disadvantages compared with workers in formal employment[15]. Although only 2.6% of the workforce in Ireland is employed in temporary employment, non-national employees and lower paid sectors are disproportionately represented, with 26% of temporary employees being non-national even though they account for 17.5% of the workforce and elementary workers[16]. Universal health coverage is one cornerstone recommended to reduce inequality, however in line with this, more attention needs to be paid to the working conditions and exploitation of low paid migrant workers.

While this is a general statement about employment as a concept, and it's vulnerabilities to discrimination and racism, we elaborate further on specific Public Health experiences of some of the previously mentioned factors below.

Recommendations:

1. Consider the need for more protection within employment for temporary / agency workers, especially around health coverage, sick leave, annual leave and contracts

2. Investigations into the nature of subtle workplace manipulation and exploitation of minority workers and how will employers be required to demonstrate equal treatment of all

3. As stated above, consideration of alternative methods of access to employment within some organisations outside of university degrees where appropriate (for example, opportunities for apprenticeships, training courses and mentoring). Increasing the ability to access employment (and ensuring that this is being encouraged at educational level) will support increased diversity

4. Consider a robust design for career guidance in education

Specific Sectors

Goods and Services

While Ireland primarily relies on an economic free market, guided by demand to dictate supply, there are avenues in which government intervention could nudge private retail and services to provide a more holistic, inclusive range of goods to promote equality and inclusivity. Collaborators of this report identified these areas of need inside of private goods and services:

● Hairdressing - currently, Irish hairdressers are not specifically trained to work with curly / afro-textured hair, leading to lack of services, and supply-demand mismatch, with follow-on effects on price and access to services. Curly / afro-textured hair is seen as more difficult to work with

● Hair products - good quality products for all hair types have only recently become available on a limited basis in Irish pharmacies

- Underwear - currently, underwear matching certain skin tones is difficult to find in Ireland outside of specialist or designer stores, leading to high prices, and inaccessibility for people with lower incomes

Recommendations:

1. Private entities and entrepreneurs need to be encouraged to cater for different cohorts of people that live in Irish society

2. Design Thinking strategies for innovation should be encouraged as standard within organisations and possibly seeking consultancy guidance from healthcare professionals / bodies for matters relating to health and disability

3. Companies should be required to consider accessibility to products and services for all populations, such as consulting through health professionals, such as Occupational Therapists

4. Hairdressers in Ireland should be trained to work with all hair types as part of their standard training, and guards should be put in place so that services are widely available

5. Good quality hair care products should be widely available at pharmacies, salons, and places selling hair products

6. Skin toned underwear should be widely accessible in all mainstream department stores that sell underwear, accessible for all people with all budgets

Housing Provision

The housing situation in Ireland is related to negative health effects in other, more specific domains, including specific Public Health domains (see next section). The lack of affordable housing and renting, especially in the cities of Ireland has a direct impact on the Social Determinants of Health, and links to poorer health outcomes experienced by some vulnerable groups, such as migrants to Ireland, asylum seekers / Direct Provision Centre residents, and of course, those experiencing homelessness. Homelessness and poverty itself are risk factors for poor health outcomes, but those unable to secure housing for themselves will suffer health effects related to this.

The housing situation in Ireland is too large to discuss here, but as goes without saying, the authors support urgent action in the sector to drastically increase supply and affordability of housing, as this is one of the major issues affecting the country.

Of relevance here is the poor living conditions provided for the Travelling Community, which can be subpar in a number of ways, but also may not be culturally-appropriate or specific (these are discussed further in a dedicated section later)

Recommendations:

1. Drastic intervention to increase the supply, quality and affordability of housing in Ireland, including massive public sector investment

2. Housing should be viewed as a human right, as opposed to a commodity, and legislations in place to support this

3. Provision of social housing should be greatly expanded

Law Enforcement

As acknowledged in the Interim Report, there is a need for an improved relationship between Law Enforcement / Gardai, and the Travelling Community and communities of colour in Ireland. Other initiatives outlined in the Interim Report, and in our submission, would be useful in improving the relationship between the Gardai and communities. Further to this however, we would support a proactive policy to improve the relationship and inclusivity, which is target-driven, not just optimistic. Standards need to be set which will help improve the relationship, and Law Enforcement needs to be accountable for achieving the goals of the standards actively.

Recommendations:

1. Ensure gardai have access to culturally appropriate bias and anti-racism training as part of core, and ongoing, training

2. Increase representation of minority and marginalised groups, including the Travelling Community, people of colour and migrants, into the Gardai

3. Investigate the historical treatment of people of colour with mental health issues

4. Ensure Gardai are trained in and receive ongoing supports for managing people with mental health issues, such as the type of roleplay style trainings carried out by the UK Metropolitan Police

5. Consider the implementations of standard protocols for the management of group gatherings, for example "X number of gardai required to supervise a group gathering of X size / nature", so that an increased gardai presence is not solely evident in gatherings with people of colour. Training on inherent bias will also support this

Migration

We would like to make a special note about the difficulties faced by new migrants to Ireland in interacting with the services, such as GNIB at Burgh Quay for example. It is the experience of collaborators of this report that the interactions that migrants have to undergo can be biased,

discriminatory and stressful. Of particular note is the situation at Burgh Quay, whereby the demand for appointments is large enough that people are unable to book online appointments. It is widely believed that the system has been compromised, meaning that migrants and students who need to book a GNIB appointment at Burgh Quay have to pay money (about €50) to third parties of unknown origin, without government affiliations, and give personal immigration details, to book an appointment. The current online booking system does not work, and leads to real exploitation of the system, wide massive potential for unwanted side effects, such as breaches of personal data.

Further to this, interactions within the service can be subpar, stressful, and unfriendly. The points referenced above about diversity, bias training, cultural competency, awareness and sensitivity are all extremely relevant in this situation. The immigration system would benefit from wider impartiality and reduction in bias. Part of this is staffing numbers, since the wait times and stress of attending immigration appointments can lead to unpleasant encounters, and the demand for services is more than the staffing provided in immigration offices.

Recommendations:

1. In line with above recommendations, all staff should be required to undertake initial, and ongoing training, on:

   a. Racial bias

   b. Cultural awareness, competency and sensitivity

2. The electronic booking system for online appointments should be completely modernised, as currently, people are required to book through third parties with no government affiliations

3. Greater impartiality should be applied across the sector, which could be aided by increased staffing*

*One of the authors noted that their migrant partner was not receiving replies to their emails to the immigration department, but when the Irish partner, with an Irish name, emailed with the same information, they received an immediate reply, with helpful instructions

Specific Recommendations related to Public Health

Public Health operates under a certain healthcare remit to focus on health protection and health improvement. Through the pandemic, Public Health has been the main body to deal with outbreaks of Covid-19 in settings such as schools, work places and congregate setting. This has included liaising with service providers who cater for the Travelling Community, Direct Provision Centres, homeless services and accommodation, and services for other minority groups and marginalised communities. Within the work of the Department, a number of areas have been identified where discrimination and racism have played a factor. Some of these have been particularly highlighted by the Covid-19 pandemic. The experience and effect of discrimination and racism is by no means limited to the below factors.

Special note should be made of the potential interplay between discrimination and racism, and the differing rates of Covid-19 vaccination uptake across the Irish population. This is a point for ongoing exploration.

Access and Usability of Health Services

Through routine Public Health work, and especially through the pandemic, we have identified a number of instances where minority communities (especially the Travelling Community and migrant communities) had difficulty in accessing and using the health system, and in receiving accurate health-related information. These often related to language barriers. Although the HSE had a robust service for translation, this was through privately contracted companies, and involved a turnaround time. Having staff speaking a specific language during a healthcare encounter was random and opportunistic, but also extremely helpful when available.

Outside of the pandemic, Public Health is aware of a number of barriers to health access that people of marginalised communities face, and barriers that are produced once access is gained. A noted example of this is the access of marginalised communities to therapy and psychotherapy, which is of particular reference in regards to incidences of intergenerational trauma within minority populations. Cost is often a prohibitive barrier in this very significant mental health burden, and psychotherapy is seen as a luxury that is only available to people with high incomes.

Similarly, within the trauma context, the family environment can be one that is under significant stress. Parents in stress can often struggle to be emotionally present for their children. Recently, there has been international discussion around the definition of trauma to more broadly include stressful childhood experiences (that are consistent in nature). Psychologist Gabor Mate has expressed that the increasing incidences of diagnoses such as ADHD, ASD and ODD, which all have common experiences of difficulties with regulating attention, impulsivity and emotions, is not solely genetic, but the result of increased stress during pregnancy, a child's early life, and emotional needs not being met at childhood.

Recommendations:

1. Increased diversity in the health service, including on a representative basis, as elaborated on above

2. Provision of information in many languages and translations services for all healthcare services

3. Readily available information in many languages on how to access healthcare services, including on an emergency basis

4. Training for all healthcare staff as core, and as ongoing, on:

   a. Racial bias

   b. Cultural awareness, competency and sensitivity

5. Information in English language should meet NALA guidelines to ensure understanding by all

6. Accessibility schemes so that marginalised communities can access psychotherapy services, including family-based services. These should be culturally competent

Employment of Vulnerable Populations

Through the Covid-19 pandemic, it was found that in a number of situations that there was evidence of significant inequalities in worker's social conditions. There were many instances whereby it came to the attention of Public Health that foreign-born workers' employment, social and housing conditions were considerably below that experienced by the majority of Irish-born workers. This is an area in need of more detailed investigation and urgent analysis. It is likely that circumstances may be greatly improved by full implementation of equality proofing of employment and housing provision by Irish Industry.

Outbreaks were associated with manual labour employment settings, where people were unable to social distance properly, and anecdotally, some people worried about their employment status and finances, compromising employee safety. A number of large outbreaks dealt with by the Department were in facilities such as these, where a large proportion of the employee pool were recent migrants, sometimes Direct Provision residents. Wages were often low. The interaction with Direct Provision was noted to transfer infection from the place of work to the Direct Provision centre, where people often lived in a congregate setting, and were unable to properly enact infection prevention precautions. Some large outbreaks in the region covered by the Department of Public Health East saw this transfer between workplace outbreaks and Direct Provision outbreaks.

There was also an Covid infection risk noted when large numbers of low-paid workers were brought to Ireland for temporary work picking fruit.

While there is need for a whole sector review of these deficiencies and risks, which were noted above, specific to the Public Health experiences around employment, several recommendations can be made which are listed here and in subsequent categories.

Recommendations:

1. Peer networks and workplace champions to represent minority populations in workplaces, who are able to advocate and relay health information, such as Public Health guidance

2. Equality proofing of Irish employment policy

Asylum Seekers and Direct Provision Residents

The current system for asylum seeker reception and processing does not support optimal health, and we have dealt with a number of individuals and centres throughout the pandemic. Reports to the government have outlined the non-suitability of the Direct Provision system, including for health protection through the pandemic[17]. In line with this, we support the phasing out of the Direct Provision system.

As referenced above, there was interaction between workplace outbreaks and Direct Provision Centre outbreaks. There is a need for a wide, national plan to improve the conditions and dynamics of work for migrant and asylum seeker employment, however, in terms of Public Health experiences and asylum seeker health, we think there has been preventable illness incidence due to the Direct Provision system. This relates to accommodation, employment and health provision.

The current housing situation, and the prohibitive cost of accommodation, means that Direct Provision Centres can become more crowded than need be. Remedying the housing situation would reduce health risk in the asylum seeker population.

The interaction between Direct Provision Centres and employment led to, in our observable experience, exclusion from work, and therefore, stigmatisation from workplaces and wider society. The difficulties experienced with employment in this population can lead to dependency and habitualisation. Part of this is the delay in being allowed to work when arriving in Ireland. Not allowing work is damaging to health and damaging to integration; individuals should be allowed to work while application is being processed. Of note also is the practise whereby recruitment companies may contact Direct Provision centres when seeking low-paid workers, which is exploitive.

Health provisions are not being met for this population in the Direct Provision system currently. Vulnerability assessment pathways to identify health needs for asylum seekers have only been started in recent months.

We also think it is important to note that we have identified particular areas where the strengths of asylum seekers as a community, and the diversity they would bring to Ireland, could improve the health of the Irish populations. It was noted that breastfeeding rates were very high at certain Direct Provision Centres, which was in stark contrast to low rates noted at nearby local health clinics. There is an opportunity being missed with the current system.

Recommendations:

1. Diversity of staff in asylum seeker services

2. Allowing asylum seekers to work immediately when arriving in Ireland

3. Consideration around improved labour laws for migrant, Direct Provision and non-Irish workers, to avoid exploitation and clustering in certain fields

4. Phasing out of the Direct Provision system

5. Research on ways to how the inclusion of migrant and asylum seeker communities can be represented to facilitate information sharing and improved health for both populations

The Travelling Community

Stark disadvantage exists in the Travelling Community, very much including in the realms of health. We have referenced earlier the need for strong information provision which would capture health statistics for the Travelling Community, and that some believe that discrimination and racism is a route cause of all ill-health in the Travelling Community (see above). The discordance between the health outcomes and the Travelling Community compared to the rest of the population is such a significant topic that it cannot be condensed briefly here, other than summary statistics such as large differences in life expectancy.

In terms of Public Health, we have managed notifiable infectious diseases and outbreaks in the Travelling Community, which were related to living conditions. An outbreak of meningitis dealt with by the Department of Public Health was found to be linked to overcrowding on residential sites. Cases of Verotoxigenic Escherichia coli (VTEC) have been associated with subpar amenities on residential sites. We have also noted instances of stigmatisation of children at school related to living at Traveller-specific accommodation, part of which is related to the environmental conditions onsite. We believe there is a role for local authorities to support the Community by improving living conditions, infrastructure and environmental health.

Recommendations:

1. Real, dedicated, sustained effort to repair the discrimination of the Travelling Community, including in health, to improve the health outcomes of the Travelling Community

2. Greater focus on research to identify the excess burden of disease in the Travelling Community, with special attention to strategies to decrease the burden of ill health on the Travelling Community

3. Health statistics should capture ethnicity, including those who identify as part of the Travelling Community. This identifier should be implemented on all levels

4. Local authorities should support Traveller-specific accommodation through improved infrastructure, funding, and stronger legislation around illegal dumping

The Roma Community

The Roma Community suffer inequality, discrimination and racism and this can have a subsequent impact on health. An outbreak of meningitis in the Roma Community, that the Department of Public Health managed, was found to be linked to overcrowded residential accommodation. The Covid-19 pandemic served to further highlight inequalities experienced by this community. The department managed a number of outbreaks of Covid-19 among Roma Community members living in overcrowded, unsuitable accommodation. Language and literacy can often be a barrier to accessing healthcare and social welfare. Many in this community do not have a PPS number or medical card, and therefore no GP[18]. Poverty, without access to social welfare or illness benefit, exacerbates the challenges of self-isolation when basic supplies are required.

A recent report details the outcomes of an initiative that saw the set up of a dedicated Covid-19 helpline for the Roma Community in Ireland, funded by HSE Social Inclusion with collaboration between Public Health and Non-Government Organisations (NGOs)[18]. Barriers identified between the Roma Community and accessing Covid-19 services in Ireland included literacy levels, language barriers, unawareness of what services were available, not having a GP, not having a PPS number, and distrust of service based on experiences of discrimination[18]. This report noted calls and instances relating to discrimination and racism, such as members of the Roma Community being denied entry into shops or banks[18]. Mortality was noted to be double the general population for the Roma Community[18]. Homelessness was identified as a major risk factor, as well as the prevalence of chronic disease[18].

Recommendations:

1. Greater research into the health needs and risks that effect the Roma Community

2. Health statistics to capture ethnicity on all levels

3. Support from local authorities to improve residential conditions

4. Funding should be made available for interpretation services across all health services, particularly primary care

5. Interpretation services should also be available across all social welfare services

6. A workaround solution to be found for those who are currently homeless to obtain a PPS number without proof of address

Homeless Populations

Homelessness represents a particular aspect that some in vulnerable communities may experience. It is worth mentioning that homelessness, and sub-optimal accommodation, does impact health in a number of ways, and relates to all points previously made in this submission, including the health of asylum seekers.

Clear information and acknowledgement of the "hidden homeless" should be emphasised, which can particularly skew data in some minority communities, such as the Travelling Community, where overcrowding on sites and multiple families in a bay built for one family undercount homelessness in these populations.

Specific health risks around health and safety exist for those experiencing homelessness and sub-optimal accommodation (such as tuberculosis for example), but with this experience also comes the stigma of having no permanent address, and with added barriers to accessing services, including health services.

Recommendations:

1. In line with other recommendation, drastic action to fix the housing crisis in Ireland

2. Clear research and data on the real burden of homelessness, including "hidden homeless"

3. Measures mentioned in above points, especially around health access

Summary of All Recommendations

We appreciate the opportunity to contribute to this important initiative by the Irish government, to create a fairer, more inclusive society. It is an extremely positive step. While repairing the damage that racism and discrimination has wrought will take time, these are important steps to creating this fairer environment, that can only benefit all.

It is worth reiterating that the goals of anti-racism go hand in hand with the goals of equality for all.

The full list of recommendations from our submission is as follows.

1. Diversity quotas for government institutions, guidelines and possibly legislation for private institutions, including those which receive government funding

2. Full implementation of national policies in relation to equality proofing

3. Public awareness campaigns around non-overt forms of discrimination and racism

4. Public representation of minority populations within advertisement campaigns and within goods and services

5. Innovative national support and guidance around how communities, groups, local areas and populations can raise awareness and celebrate diversity to strength cross-cultural bonding and solidarity

6. Information on racism to be proactively sought through a range of methods, including national surveys of representative samples and academic research methods, to identify the key necessary effective anti-racism interventions

7. Qualitative research to gain understandings of the perspectives of marginalised communities, including dedicated research on the Travelling Community and communities of colour, to help guide future anti-racism initiatives

8. Research on the representation of these communities in regards to:

    a. prison systems

    b. physical accommodation quality

    c. employment status and working conditions

    d. physical and mental health statistics

    e. access to healthcare

9. Research on legislation and policy in the above areas to assess the interaction and access of minority communities with each

10. Consideration of the perspectives that inform the current academic literature, and whether these sources are also representative of minority communities (for example, are people of

colour under-represented in Irish academia and publication?), and proposing policy targets, interventions, equality proofing and diversity quotas to help remedy this

11. Research on marginalised communities and intergenerational trauma and shame, and physical and mental health effects and outcomes

12. Education and training in education, schools and the public sectors, both as an initial requirement, and as an ongoing requirement of:

    a. bias training

    b. cultural awareness, competency and sensitivity

13. Early teaching of different cultures to school children, including integrated into already taught subjects

14. Review of the content of educational material through the lens of discrimination and race (for example, school history books) to make efforts to portray different cultural backgrounds, including the Travelling Community and people of colour, from a variety of perspectives, as this has a considerable impact on all children's initial understanding of race and identity

15. Review of technical textbooks with consideration of authorship to assess their accuracy and representation (for example, medical textbooks which may fail to recognise skin colour relating to rashes for people of colour)

16. Improving training opportunities for non-Irish healthcare workers, and promotion of a diverse workforce

17. Consider the need for more protection within employment for temporary / agency workers, especially around health coverage, sick leave, annual leave and contracts

18. Investigations into the nature of subtle workplace manipulation and exploitation of minority workers and how will employers be required to demonstrate equal treatment of all

19. Consideration of alternative methods of access to employment within some organisations outside of university degrees where appropriate (for example, opportunities for apprenticeships, training courses and mentoring)

20. Consider a robust design for career guidance in education

21. Private entities and entrepreneurs need to be encouraged to cater for different cohorts of people that live in Irish society

22. Design Thinking strategies for innovation should be encouraged as standard within organisations and possibly seeking consultancy guidance from healthcare professionals / bodies for matters relating to health and disability

23. Companies should be required to consider accessibility to products and services for all populations, such as consulting through health professionals, such as Occupational Therapists

24. Hairdressers in Ireland should be trained to work with all hair types as part of their standard training, and guards should be put in place so that services are widely available

25. Good quality hair care products should be widely available at pharmacies, salons, and places selling hair products

26. Skin toned underwear should be widely accessible in all mainstream department stores that sell underwear, accessible for all people with all budgets

27. Drastic intervention to increase the supply, quality and affordability of housing in Ireland, including massive public sector investment

28. Housing should be viewed as a human right, as opposed to a commodity, and legislations in place to support this

29. Provision of social housing should be greatly expanded

30. Ensure gardai have access to culturally appropriate bias and anti-racism training as part of core, and ongoing, training

31. Increase representation of minority and marginalised groups, including the Travelling Community, people of colour and migrants, into the Gardai

32. Investigate the historical treatment of people of colour with mental health issues

33. Ensure Gardai are trained in and receive ongoing supports for managing people with mental health issues

34. Consider the implementations of standard protocols for the management of group gatherings

35. In line with above recommendations, all staff should be required to undertake initial, and ongoing training, on:

    a. Racial bias

    b. Cultural awareness, competency and sensitivity

36. The electronic booking system for online appointments should be completely modernised, as currently, people are required to book through third parties with no government affiliations

37. Greater impartiality should be applied across the sector, which could be aided by increased staffing

38. Increased diversity in the health service, including on a representative basis, as elaborated on above

39. Provision of information in many languages and translations services for all healthcare services

40. Readily available information in many languages on how to access healthcare services, including on an emergency basis

41. Training for all healthcare staff as core, and as ongoing, on:

    a. Racial bias

    b. Cultural awareness, competency and sensitivity

42. Information in English language should meet NALA guidelines to ensure understanding by all

43. Accessibility schemes so that marginalised communities can access psychotherapy services, including family-based services. These should be culturally competent

44. Peer networks and workplace champions to represent minority populations in workplaces, who are able to advocate, and relay, health information, such as Public Health guidance

45. Equality proofing of Irish employment policy

46. Diversity of staff in asylum seeker services

47. Allowing asylum seekers to work immediately when arriving in Ireland

48. Consideration around improved labour laws for migrant, Direct Provision and non-Irish workers to avoid exploitation and clustering in certain fields

49. Phasing out of the Direct Provision system

50. Research on ways to how the inclusion of migrant and asylum seeker communities can be represented to facilitate information sharing and improved health for both populations

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53. Health statistics should capture ethnicity, including those who identify as part of the Travelling Community. This identifier should be implemented on all levels

54. Local authorities should support Traveller-specific accommodation through improved infrastructure, funding, and stronger legislation around illegal dumping

55. Greater research into the health needs and risks that effect the Roma Community

56. Health statistics to capture ethnicity on all levels

57. Support from local authorities to improve residential conditions

58. Funding should be made available for interpretation services across all health services, particularly primary care

59. Interpretation services should also be available across all social welfare services

60. A workaround solution to be found for those who are currently homeless to obtain a PPS number without proof of address

61. Clear research and data on the real burden of homelessness, including "hidden homeless"

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Submission to the National Anti-Racism Committee- Public Consultation on developing a National Action Plan Against Racism in Ireland.

Irish Aid, the Government's international development co-operation programme at the Department of Foreign Affairs, welcomes the opportunity to provide inputs to the development of the National Action Plan Against Racism in Ireland. In particular, we would like to focus on Themes 3 and 4 on education, inclusion and participation.

1. What is Global Citizenship Education?

Irish Aid defines Global Citizenship Education (GCE) as a lifelong educational process, which aims to increase public awareness and understanding of the rapidly changing, inter-dependent and unequal world in which we live. By challenging stereotypes and encouraging independent thinking, GCE helps people to critically explore how global justice issues interlink with their everyday lives and how they can act to build a better world. This is particularly important in an increasingly globalised world faced with immense challenges, such as the effects of the COVID 19 pandemic, climate change, entrenched poverty and growing inequality, as well as misinformation-fuelled radicalisation.

GCE is another term for development education. Irish Aid's work is underpinned by the principles of the Code of Good Practice on Development Education (IDEA 2019)[1] including a focus on the root causes of local and global injustices and inequalities, as well as encouraging critical thinking, and focusing on an ethos of solidarity, empathy and partnership.

Anti-racism should be considered as a cornerstone of being a Global Citizen and as such has a key role to play in GCE. With its focus on structural issues and the root causes of poverty and inequality at a local and global level, GCE has a number of areas of synergy with Anti-Racism education and awareness raising. There are overlaps around a number of themes such as migration and refugees as well as the long-term impacts of colonialism on countries in the Global South. Conversely, it is important to ensure that GCE, as well as international development co-operation more broadly, does not encourage stereotyping or negative imagery and remains sensitive to the increasingly multi-cultural nature of our society.

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[1] Code of Good Practice for Development Education (ideaonline.ie)

2. How does Department of Foreign Affairs / Irish Aid currently support Global Citizenship Education?

Irish Aid has been working on GCE for over 30 years, supporting lifelong learning through formal, non-formal and informal approaches. We have worked closely with the Department of Education in the implementation of the current National Strategy on Education for Sustainable Development (ESD) which also has key synergies with GCE.

Working with our partners, Irish Aid has contributed to making progress in embedding GCE in both formal and non-formal education. We welcome the opportunity to share an overview of our work as well as future plans for our new strategic plan which will be launched in September 2021.

(a) Supports to the formal education sector

World Wise Global Schools (WWGS): A key strategic partner, WWGS provide in-service training at post-primary level including in-school Continuous Professional, regional training events including one in Irish, and a National Teacher Conference each year. They also hold an annual symposium for school management on GCE and run the "Global Passport" Awards. Grants for GCE activities are paid directly to schools, to networks and clusters and to NGOs who implement GCE programmes in schools. A range of curriculum linked 'Doing DE' resources are available in hard copies or online. WWGS currently reaches 70% of post-primary schools in Ireland. In 2021, the theme of their on-line annual conference for teachers and students was "Our Journey towards Racial Justice".

Development and Inter-Cultural Education (DICE): The DICE Project is implemented by the four primary teacher Colleges of Education: DCU; Froebel, Maynooth University; Marino Institute of Education; and Mary Immaculate College, Limerick. DICE works to support teacher educators and student teachers to integrate global and intercultural perspectives and themes into their teaching practice. There has been a growing engagement around the issue of anti-racism in recent years. For example, a number of DICE supported lecturers have recently published contributed to a book entitled 'Challenging Perceptions of Africa in Schools: Critical Approaches to Global Justice Education'

Ubuntu: The Ubuntu Network receives grant funding to embed GCE into post-primary Initial Teacher Education (ITE) in Ireland. The project, which is based at the University of Limerick, supports teacher educators and student teachers to engage with local and global development issues in fourteen member HEI institutions, to see how they are relevant to their subject areas and disciplines, and to understand the value that such perspectives bring to teaching.

Other partners in the formal sector include Concern, Trócaire and Children in Crossfire all of whom provide workshops and trainings for teachers and students. Other grant partners have produced GCE resources for post-primary level including for Politics & Society, business, maths and Spanish while many more focus on Transition Year. For example, Galway One World Centre provide workshops and learning materials on migration and refuge issues to primary schools.

At Third Level, Engineers without Borders targets engineering and design students while Proudly Made in Africa works with business students and their tutors on the themes of trade justice and sustainable development.

Science students are reached through the Irish Aid funded Science for Development Award at the BT Young Scientist and Technology Exhibition. The winner of the 2021 Science for Development Award was Aronnya Khan Zakaria whose project examined the development of racial prejudice in children.

Irish Aid reaches young people in schools all over Ireland by funding the Global Citizen Award with Young Social Innovators. In 2021, The Young Social Innovators *Global Citizens Award* was won by a team from Cork Educate Together Secondary School for their project, *End Direct Provision.*

(b) Supports in the non-formal sector – youth, adult and community education.

Irish Aid supports development education organisations working directly with young people, as well as adult and community groups.

The Irish Aid supported STAND project, implemented by strategic partner SUAS, promotes global citizenship across 3rd level institutions. Working with the Union of Students of Ireland, the programme provides a range of workshops, short courses, events and festivals on global citizenship themes. In 2020, the programme supported campaigns on 'Migrant Minds Matter' and 'Black Lives Matter'.

Irish Aid has a new strategic partnership with the National Youth Council of Ireland called "Youth 2030 – Development Education in the Irish Youth Sector" which promotes global citizenship with NYCI member organisations. NYCI is lead member of a Consortium made up of NUI Maynooth, Trócaire and Concern Worldwide. The 'One World Week' festival which takes place in November each year engages youth groups across the country. The programme has also supported the development of a Level 8 Certificate in Global Youth work at NUI Maynooth.

Many others are reached through Irish Aid funded programmes with EcoUnesco, Irish Girl Guides, Scouting Ireland and An Taisce

Irish Aid also funds 'Saolta', which aims to increase the accessibility, quality and effectiveness of development education in the adult and community education (ACE) sector. This new programme includes the training and mentoring of a network of "SDG advocates' across the country and the integration of global citizenship issues into both initial training and continuous professional development for adult and community education workers. Workshops are held with Public Participation Networks across the country with the aim of integrating the SDGs into County Development Plan. The Consortium is headed by Development Perspectives, a Drogheda based development education NGO working with Concern Worldwide, AONTAS (the national adult learning organisation), NUI Maynooth and Irish Rural Link (a national network of organisations and individuals campaigning for sustainable rural development in Ireland).

Developmenteducation.ie is an online hub for development education resources and is an Irish Aid strategic partner. Resources on the website which relate to racism include: '*What matters?*' *A guide to anti-racism education.*

A range of other Irish Aid grant partners work in the Adult and Community Sector, reaching learners in a wide range of settings from all over the country including An Cosán and Inisowen Development Partnership.

© The Irish Aid Awareness Programme

The Our World Irish Aid Awards is an annual awards programme for third to sixth class in primary school which has been running for 15 years. Pupils explore the United Nations Goals for Sustainable Development and the work of Irish Aid.

School workshops for both primary and second-level learners are provided in the Irish Aid Centre located in central Dublin. Experienced facilitators explore the work of Irish Aid and the SDGs in these interactive workshops. Close to 8,000 primary and secondary pupils and their teachers, in addition to third-level students attended Irish Aid workshops in 2019. The facilitators also offer the Irish Aid Workshops at events such as the BT Young Scientist Exhibition and RDS Science Blast. In line with COVID restrictions, the Irish Aid Centre has been closed since March 2020 but on-line workshops and resources are currently being provided which will continue to be offered by the Centre once it reopens (hopefully later in 2021).

3. What are the priorities for the new Strategy 2021-2025 and how can we strengthen cross-Government coherence?

Over the last 6 months, Irish Aid has been developing a new Global Citizenship Education Strategy for 2021-2025. Close to 40 written submissions were received and nearly 300 people attended town halls meetings, including a specific consultation with young people organised in partnership with the National Youth Council of Ireland.

A number of new priorities for the GCE strategy have been proposed which include the following:

✓ Cross-Government policy co-ordination and coherence will continue to be a core priority for our work including through our engagement with the ESD Advisory Committee as well as bi-lateral dialogue with the Department of Education and the Department of Higher and Further Education, Innovation and Research. The NCCA and the Teaching Council will also be important partners and we look forward to supporting the operationalising of the new 'Céim' standards for ITE which include GCE as one of 7 core elements.

Working with other relevant Government Departments will be important including the Department of Children, Equality, Disability, Integration and Youth for both its work

on anti-racism as well as early-years education and youth engagement. Other relevant Departments are the Department of the Environment, Climate and Communications: Department of Rural and Community Development and the Department of Housing, Local Government and Heritage.

✓ It will be important to ensure coherence across Government in relation to inputs to upcoming curriculum reform processes including the ongoing review of the senior cycle, the development of the new primary school curriculum and the review of the Aistear (Early Years) framework. These are key opportunities to ensure a strong focus on both anti-racism and global citizenship is embedded in formal curricula.

✓ In the area of formal education, we will build on our strong engagement with both the post-primary sector (through the World Wise Global Schools Programme) and our supports to Initial Teacher Education (ITE) through the DICE and Ubuntu programmes. A new programme targeting the primary education sector will be launched later in 2021. This programme will have a strong focus on both supporting continuous professional development for primary school teachers and the roll out of whole-school approaches. We will also look at opportunities to support the delivery of GCE in Early Years Education.

✓ Building on our support to student societies and the Union of Students of Ireland, we will look to strengthen our engagement on CPD for lecturers as well as curriculum and resource development on GCE in Higher Education Institutes and whole- of-institution approaches.

✓ A revitalised "Community Initiative " will be launched building on the learning to date from the Saolta and Youth 2030 programmes in the youth, adult and community education sectors. This will include supports to CPD for adult educators and youth workers as well as supporting the integration of GCE into ITE for ACE practitioners and youth workers. We will also look to work more closely with local Government including Public Participation Networks. Diversity and inclusion will be core issues and we will aim to work with a range of different organisations including migrant groups as well as family resources centres, women's groups, older person's groups, men's sheds and arts sports and cultural organisations as well as young people from a diversity of backgrounds.

✓ Across all of our work, there will be a strengthened focus on engaging people from the broadest possible range of backgrounds, including those marginalised from mainstream education. In formal education, this will include a focus on increased engagement with a more diverse range of schools including DEIS schools, Gaelscoileanna and Gaelcholáistí and Special Schools. We will strengthen supports to integrating GCE into

Leaving Certificate Applied, Leaving Certificate Vocational Programmes as well as Youth Reach programmes.

✓ We will look at mechanisms to further support research on GCE, including looking at opportunities to work with the Irish Research Council if appropriate. In this, we will work closely with other Government Departments to identify areas of shared interests and priority.

✓ An Innovation Challenge Fund will be launched which will include supporting the use of digital learning and new technologies to further the reach of our work and build links with schools, institutions, youth groups and the Global South.

It is likely that the strategy will be launched in September 2021, as which point we will be in a position to confirm the various initiatives being proposed. We remain open to further discussion and engagement with the Committee and the Department of Children, Equality, Disability, Integration and Youth on how issues of anti-racism can be further integrated into new and existing programmes as outlined above.

July 6th 2021.

Doras

PROMOTING & PROTECTING HUMAN RIGHTS

SUBMISSION TO INFORM THE NATIONAL ACTION PLAN AGAINST RACISM & THE ANTI-RACISM COMMITTEE

14th July 2021

ANTI-RACISM COMMITTEE
14ᵗʰ July 2021

ABOUT DORAS

Doras is an independent non-governmental organisation that works to promote and protect the rights of migrants in Ireland through direct support and collaborative advocacy. Doras was established in the year 2000. Our work now covers a broad spectrum of areas including immigration, international protection, refugee resettlement, anti-trafficking, integration and anti-racism. Each year, we support approximately 1,200 people from a migrant background at our Limerick office. Our direct support services include the following:

- Drop-in centre
- Outreach
- Information on integration, international protection & immigration

- Refugee resettlement & community sponsorship
- Support to victims of human trafficking
- Racism reporting & victim support

INTRODUCTION

Doras welcomes this opportunity to input into the development of the National Action Plan Against Racism (NAPAR, and we applaud the Anti-Racism Committee for the work carried out to date. The lack of national policy and coordinated action to combat racism in Ireland since the dissolution of the National Consultative Committee on Racism and Interculturalism (NCCRI) in 2008 has been very concerning. We are pleased to note that there is a renewed political commitment and leadership to address the shortcomings of the recent past and the issues of racism, hate and discrimination that we currently face in Ireland.

Given our remit working with people from a migrant background over the past 21 years, Doras has a strong interest in ensuring that this new action plan uses an evidence-based and human rights-based approach that emphasises prevention; strives for the eradication of racism and racial discrimination, in line with the Durban Declaration and Programme of

Action; and embeds human rights principles of participation, inclusion, equality and non-discrimination, dignity and justice throughout policy and practice.

Doras consulted with people who engage with our work to help inform this submission. People who provided input to us emphasised the need for education at all levels of society in order to combat and prevent racism. Public education initiatives to raise awareness among the general public, developing bystander intervention training, anti-racism in the school curriculum and training for teachers, staff, employers of all types were highlighted as essential for inclusion in the new NAPAR. This is detailed further in Section 3. Other issues raised and recommendations made to Doras include addressing structural and institutional racism within the Gardai and across public services, physical and mental healthcare, effective legislation to combat hate crime and incitement to hatred, and enabling participation are detailed throughout this document.

Racism takes many different forms. We acknowledge that combating individual racism will require a different approach to tackling structural or institutional racism, and Ireland requires efforts and actions on all forms of racism. Furthermore, racism directed towards people of the Muslim faith requires a different approach to tackling racism directed at people from an African or migrant background, or members of the Traveller community. In our experience, the people we work with have faced racism and discrimination on multiple additional grounds including gender, disability and residence status, underlining the need to take an intersectional approach to anti-racism policy and practice.

This submission focuses on racism against people from a migrant and refugee background, which is our area of expertise.

A summary of Doras recommendations are listed on pages 15 to 18 and highlight the following issues:

- Policies that exclude people from participating in employment, education, politics
- Language

- School & education needs
- Policing
- Social welfare
- International protection.

1. ACCESS TO JUSTICE

Access to justice is a significant challenge for people from migrant and refugee backgrounds in Ireland. Doras continues to witness and support people who have had negative experiences attempting to access justice. These experiences include:

- not being believed or supported when trying to report racist incidents;
- being actively discouraged or not permitted to report racist incidents;
- being harassed, intimidated and racially abused by authorities and staff of public sector institutions.

Doras has supported people to access justice following a discriminatory or racist incident, including provision of information about rights and redress options, accompaniment to report incidents to the Gardai and supporting people in their cases via the court system and the Workplace Rights Commission. The people we have supported have often felt let down by the justice system for a number of reasons including lack of redress; lack of compensation; poor treatment or negative comments made by the judiciary and officials. The lack of trust in the justice system is a significant barrier.

Legislation & awareness of rights

- Doras notes and welcomes the Government's recent progress and commitment to introduce hate crime legislation and new legislation around incitement to hatred. Furthermore, we welcome the recent announcement and plans to review Ireland's equality legislation.
- The new NAPAR should include actions that support the effective implementation of new and revised legislation around hate crime, incitement to hatred and equality issues. In particular, significant work will be needed to ensure that people understand these laws through public education initiatives and the development of guidelines for officials with responsibility for implementation, including the Gardai and judiciary, in order to ensure that the legislation is effective and meets its aims in practice.
- Doras has witnessed and experienced a low level of awareness of people's rights around discrimination, incitement to hatred and equality issues in existing legislation

at all levels including among people who have been subjected to it, the general public, the Gardai and judiciary. As an NGO working in the anti-racism and migrant sector, we play a role in trying to increase awareness of people's rights and available redress options, while also explaining obligations to duty bearers and legal provisions to the Gardai when accompanying people to report incidents.

- The State must play a role in raising awareness among the general public and staff of public institutions of the rights and resolutions available around these issues. Actions should include public education initiatives outlining rights and redress options, as well as the development of clear guidelines for duty bearers and public institutions with obligations in this regard. In order for the education initiatives to be effective, they must be mindful of issues around language and access, ideally designed and implemented in collaboration with the intended target groups and communities.

- Free legal aid should be provided to people taking cases under Equality, Incitement to Hatred and forthcoming Hate Crime legislation. Organisation working to support people to report and progress cases, operating in the community and voluntary sector, should be adequately resourced to support this work at the local level.

- The Public Sector Duty is an important legal provision that obliges public sector bodies to assess and address human rights and equality issues. In our experience, the people we work with have significant challenges around access to public services. The new NAPAR could usefully include actions to support the full implementation of the Public Sector Duty across all public sector bodies. Furthermore, monitoring and evaluation of public bodies in this regard is necessary.

- The forthcoming review of the Equal Status Act will provide an opportunity to address the need to extend the definition of "services" to specifically include An Garda Siochana and the Immigration Services.

Racial profiling
- For several years, racial profiling has been reported to Doras by people accessing our services. Reports of racial profiling vary widely but have commonalities with regard to the impact it has on people. In our experience, when people are requested to

produce ID on demand by members of An Garda Siochana, it is often interpreted as an expression of structural and institutional racism.

- The people most commonly requested to produce ID on demand to the Gardai in our experience are people from an African and Muslim background. Doras believe that racial profiling of this nature is often influenced by negative stereotyping, racist myths and prejudice.

- Legislation prohibiting racial profiling is needed. Significant additional work to address structural and institutional racism within the Gardai is essential. Members of An Garda Siochana must be sensitized to human rights and anti-racism practice. Compulsory training, designed in close consultation with affected communities, with regular evaluation is needed.

Attitudes, intimidation & harassment

- Doras has witnessed and heard numerous reports from the people we work with of negative attitudes, intimidation and verbal harassment by members of An Garda Siochana.

- Reports of negative attitudes and comments made by Gardai at the time of reporting a racist incident or other crime have had significant impact on people and contribute to and reinforce a lack of trust in the Gardai.

- Allegations of intimidation and verbal harassment by Gardai working under the Garda National Immigration Burau (GNIB) have been reported to Doras. In some instances, officials have intimidated and harassed vulnerable women living alone with children in the middle of the night while under investigation for immigration issues. The long-term impact that this behaviour has on individuals, families and communities with regard to trust in the Gardai is significant.

- Doras notes that the Equal Status Act does not explicitly define An Garda Siochana and Immigration Services as "services" for the purpose of the legislation, which is a further barrier to justice for people who have experienced racism.

International protection

- The delays experienced by people who have applied for international protection in Ireland are increasingly concerning. and present a considerable barrier to justice for people whose lives have been put on hold while awaiting an outcome on their case. Immediate resources for the International Protection Office, the International Protection Appeal Tribunal and Legal Aid Board are needed to help clear the backlog of cases. Doras considers the lack of action to address this issue to date as an example of structural and institutional racism.

- Implementing the recommendation of the Advisory Group Report to regularize the status of people who have been in the system for more than two years is necessary in order to effectively address delays going forward.

2. MEDIA & COMMUNICATIONS

Doras has witnessed and experienced significant racist hate speech via local and national media, online via our social media accounts and through direct communications. Furthermore, we are concerned about communications by and media coverage of political representatives and election candidates that perpetuates prejudice and often goes unchallenged.

Doras note the important role that the media plays in combating racism and promoting integration. Notwithstanding a number of important anti-racism media initiatives in recent years, we continue to witness problematic language being used to describe issues relating to immigration, diversity and integration, and people from a migrant background continue to be labelled and othered by some national and local media outlets in Ireland. Negative stereotypes and racist myths remain prevalent in the media, which can perpetuate prejudice and lead to more extreme forms of racism if not appropriately addressed.

The United Nations Committee on the Elimination of Racial Discrimination (CERD) raised concerns about the prevalence of racist hate speech, with specific reference to racist hate speech online, on social media and made by politicians during election campaigns. The UN CERD made a number of recommendations to Ireland in 2019 regarding hate speech, which

we support[1]. Doras believe that the new NAPAR could usefully play a role in combating hate speech through education initiatives, working collaboratively with relevant companies on monitoring and accountability issues, proactive media support and political leadership.

Raising awareness of online hate speech & incitement to hatred

- Online racist hate speech is widespread and has an enormous impact on many of the people we support.

- Doras notes and welcomes the recent review of the Prohibition to Incitement to Hatred Act 1989 and the publication of the General Scheme on Hate Crime bill, which includes provisions addressing online hate and incitement to hatred.

- There is a need for increased awareness of the impact of racist hate speech; how to report incitement to hatred; how to report hate speech on social media platforms; strengthening reporting systems; working collaboratively with An Garda Siochana to improve crisis responses.

- Doras believe that social media platforms have a responsibility to combat racist hate speech. The new NAPAR could usefully include actions that obliges the Irish government to work with social media platforms to strengthen efforts in this area.

Monitoring & accountability

- Social media channels of media outlets play a particularly important role in facilitating conversations on anti-racism issues. However, there is limited moderation and accountability for hate on social media and online, which largely falls outside the remit of the Press Ombudsman. Media outlets may see increased interaction when posting controversial content and they have little incentive or role in moderating any racist comments posted by social media users.

- Doras note the ongoing efforts to introduce legislation that will go some way to addressing this protection gap. The development of guidelines on issues relating to racism for media and social media outlets, including addressing racism on social media channels, will compliment efforts to regulate these issues through legislation.

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[1] UN CERD recommendations (2019). CERD/C/IRL/CO/5-9 (2019). Available at:
https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/IRL/INT_CERD_COC_IRL_40806_E.pdf

Promoting anti-racism and integration in the media

- State media outlets have an important role in promoting positive content about diversity, identity and integration, and facilitating discussions around anti-racism in Ireland. In 2020, there was a notable effort to increase representation and discuss these issues, prompted by the Black Lives Matter movement and driven by people with a lived experience of racism in Ireland. Doras urges the State to ensure that representation in the media continues to strengthen. Efforts to promote diversity and address racism could usefully be outlined in annual reports by State-owned media outlets to assist with monitoring in this area going forward, which would be in line with requirements of the Public Sector Duty.

- Implementing recruitment initiatives aimed at increasing the diversity of staff working in State-owned media will help to ensure representation and diversity in the media.

- Public education initiatives, including media campaigns, that discuss and address racism must be evidence-based, closely monitored and evaluated to ensure effectiveness.

Political communications

- In recent years there has been an increase in racist comments being made by politicians and election candidates, which was noted by the UN CERD. Every effort must be made to ensure that racism has no place in Irish politics.

- Forthcoming legislation to combat hate crime and incitement to hatred must ensure that politicians are accountable for racist hate speech and incitement to hatred.

- Furthermore, political leadership to combat racism and promote diversity is essential, making clear statements that condemn racism in all its forms.

- Doras hope to see the State undertaking initiatives aimed at increasing political participation and representation of people from a migrant background going forward.

3. EMPLOYMENT, EDUCATION, HEALTH & ACCOMMODATION

Doras regularly supports people who have experienced racist incidents and racial discrimination while seeking to access employment, education, health and accommodation. We see these individual incidents as an expression of structural and institutional racism, embedded in laws, policies and institutions across Ireland.

Employment

- In 2017, the National Migrant Integration Strategy committed to recruiting more people from a migrant background to the civil service with the aim of improving representation and increasing diversity. There has been insufficient progress in this regard. Addressing the lack of diversity in the civil service will have significant benefits and will be a strong example of leadership in this area.

- Employment policies should be evidence-based. Policies that exclude people from a migrant background from seeking employment can have a negative impact on individual circumstances and public attitudes, while also going against the intended aims of other policies such as migrant integration, mental health and poverty. For example, policies that prohibit international protection applicants or people on dependent spouse visas from seeking employment may contradict policies that seek to promote integration, improve well-being and foster positive intercultural relations in communities.

- Employment is recognized as the most important indicator of migrant integration. The exceptionally low rates of employment for people from a migrant background in Ireland speaks directly to peoples experiences of racism and discrimination while seeking employment and in the workplace. The need to seriously address racism in recruitment and in the workplace cannot be underestimated.

- Initiatives that aim to raise awareness and provide guidance among employers and employment agencies are much needed. Similarly, there is a need for accessible information on rights and redress options for people who have experienced racism while seeking employment or in the workplace.

- People from a migrant background experience disproportionate levels of unemployment in Ireland. Accessing social welfare support in Ireland has been a negative experience for many people we work with. Doras has witnessed and heard reports of direct and indirect racism against the people we support.

- Actions that address the barriers people face while trying to access social welfare are much needed. In particular, actions that aim to improve the accessibility of information around rights and entitlements to social welfare; promoting availability and use of language interpreters; monitoring and reviewing social welfare decisions made relating to people from a migrant background; undertaking a review of the impact of the Habitual Residence Condition policy.

Health

- Racism impacts the physical and mental health of people who experience it. We know through our direct support work that racism in all its forms can have a profoundly negative impact on people and communities, contributing to the economic and social exclusion of people from a migrant and refugee background in Ireland.

- A public health approach to combating racism, including the design and delivery if information campaigns, could help to effectively address the social and cultural norms that perpetuate racism in Ireland.

- The ongoing pandemic has illustrated the challenges facing people from a migrant background who need to access healthcare. These include lack of multilingual information resources; the lack of engagement with different migrant communities by public authorities in Ireland and the vulnerabilities of many people from migrant background due to residence status, poverty and exploitation.

- Language remains an enormous barrier to healthcare. There needs to be significant efforts to promote and ensure the use of language interpreters between healthcare professionals and migrant service users. Children are not an appropriate interpreter for their parents and this practice should not be permitted.

- When language interpreters are engaged, there can be a range of challenges including the lack of professional accreditation to work in the role and the potential

- issues around confidentiality for people providing interpreter services in minority languages where the community in Ireland may be very small.

- Doras has heard reports of staff working in suicide prevention and crisis intervention services who were unable to communicate with service users due to language barriers. There was a lack of awareness around how to respond to a caller who had limited English language skills.

- Training on anti-racism for healthcare providers, and any other workplace, is essential, which should include guidance on working with interpreters and service-users who speak a language other than English.

- Evidence from research studies undertaken in other countries shows that bias, prejudice and racist attitudes among medical or healthcare professionals influence the diagnosis of skin conditions, maternal and infant mortality, provision of emergency care or pain relief, mental health and a range of other healthcare issues.

- Data collection and analysis of health issues among migrant and refugee populations in Ireland should inform health policies and service provision.

Education

- Education is central to anti-racism work and is the area most commonly highlighted by people with whom we have consulted on the development of anti-racism policy and practice.

- Experiences of racism have been reported by children and young people attending primary and secondary schools, as well as in higher education institutions across Ireland. Reports of racism involve pupils, students, teachers and staff as perpetrators, from a wide range of ages and backgrounds. Given the absence of clear guidelines and training, the response of individual staff and management of education institutions varies widely.

- Doras is regularly contacted by parents and schools seeking guidance on how to follow up on and respond to reports of racism. In many cases, schools want to do the very best that they can to appropriately address racism but they feel that they don't have the expertise to navigate the sensitivity or complexity of the issue. In other cases, school management have refused to engage and denied racism.

- A compulsory anti-racism training programme for all staff and management of schools should be developed, including guidance on how to respond to reports of racism and how to support pupils and students who have experienced racism. The existing anti-bullying guidelines are lacking and do not appropriately guide schools to respond to racism reports, in our opinion.

- Schools are also important places for learning about and promoting diversity, identity, belonging and interculturalism but there is a lack of resources and training available to teachers. The lack of diversity in the teaching profession in Ireland continues to be a challenge and increased efforts to address the lack of diversity in teaching is essential, the outcome of which will be incredibly positive for the education system.

- The school curriculum should reflect and respond to the needs of learners. Anti-racism, diversity and cultural studies should form a part of the primary and secondary school curriculum in Ireland, incorporated into and across all subjects. Furthermore, textbooks and visual aids for the classroom should be updated in collaboration with people from a migrant background to ensure diversity and representation.

- Individual schools across Ireland have made huge efforts to promote diversity and combat racism, despite the lack of resources and guidance from the State. These efforts, in our experience, are often driven by committed individuals who volunteer to take on the task. Similarly, ad-hoc initiatives led by the community and voluntary school have also aimed to fill the gap that has been left by the absence of a national anti-racism policy since 2008.

- Despite recent policy developments, many international protection applicants continue to be excluded from accessing higher education in Ireland. We believe this exclusion does more harm to people who are in the application process and contradicts efforts to promote integration and well-being. In our experience, this policy has a significant negative impact on people who are left to endure a number of years of forced idleness and social exclusion while waiting for their case to be processed before they are permitted to access education. Doras recommends that education policies that exclude people from a migrant and refugee background on

residency grounds should be reviewed to determine the intended objectives and the impact of same.

Accommodation

- Doras receives regular reports of racism and discrimination by people we support. This is a particular concern for people leaving Direct Provision and seeking to enter the private rental market for often the first time in Ireland. The people we support have reported feeling that they are not getting call backs or viewing appointments because of prejudice, racism or discrimination based on their perceived "race", social welfare payment and/or residency status, which is apparent to property owners or agencies when they see their name and address.

- Representative professional bodies working with property owners and tenants could usefully be engaged to promote anti-racism.

- There is a lack of awareness around the rights and redress options available to people who experience racism and discrimination when seeking to access accommodation and a need to address this gap.

- The ongoing policy of Direct Provision is an example of structural and institutional racism, and contributes to the social and economic exclusion of asylum seekers and refugees in Ireland. Furthermore, residents of Direct Provision have reported racist incidents occurring within the centres perpetrated by staff, fellow residents and management. The internal complaints procedure is ineffective and not fit for purpose. The lack of independent monitoring and inspections of the centres is a further concern.

- Doras continue to advocate for the direct provision system to be replaced by a human rights compliant reception system that fosters integration, makes appropriate supports available where needed and enables people to live independently. In the meantime, we urge the State to ensure access to effective complaints procedures and to formailse HIQA as the body responsible for monitoring and inspecting direct provision centres without further delay.

4. INCLUSION & PARTICIPATION

Doras recognises the need to address racism as the greatest barrier to inclusion and participation. There is a need to focus on removing the structural and institutional expressions of racism while promoting inclusion and participation, acknowledging the two-way process of integration.

Inclusion and participation are important human rights principles. Participation must be active, free and meaningful. In order to patriciate, opportunities to participate must be accessible and in some instances, steps may need to be taken in order to support people to partipcate or to ensure accessibility.

- Participation in the development of policy and practice about issues that directly impact people is essential. This can be achieved by developing and implementing actions to increase the representation of people from a migrant background in all areas of public life in Ireland, including initiatives such as recruitment campaigns for the Gardai, civil services or teaching roles; or targeted outreach undertaken by sports clubs and music initiatives.
- Information about opportunities to participate in public life must be accessible, with consideration given to the diversity of languages spoken by Ireland's population and the media sources used by the different communities living here. Targeted outreach to communities may be a particularly important consideration when devising information campaigns.
- Ensuring that the spaces people are being encouraged to participate in are inclusive, welcoming and safe is essential. Doing so may require undertaking anti-racism training and developing internal anti-racism policies and procedures in collaboration with people who have lived experiences of racism.
- A review of policies that exclude people from a migrant and refugee background from participating in employment, education, politics and other aspects of life in Ireland would be useful to reveal and understand structural and institutional racism. This

evidence-base would help to inform the development of new policies and actions that promote participation in these areas.

SUMMARY OF RECOMMENDATIONS

ACCESS TO JUSTICE

- Prioritise the design, development and delivery of compulsory and regular training for all members of An Garda Siochana and the judiciary on anti-racism, interculturalism, discrimination and equality issues. This training must include guidance on the interpretation of legislation relating to these issues.

- Legislation prohibiting racial profiling is needed.

- Design and deliver public anti-racism education initiatives outlining rights and redress options, as well as the development of clear guidelines for duty bearers and public institutions with obligations in this regard.

- Free legal aid should be available to people taking cases under Equality, Incitement to Hatred and forthcoming Hate Crime legislation. Furthermore, organisations working to support people to report and progress cases operating in the community and voluntary sector, should be adequately resourced to support this work at the local level.

- The Public Sector Duty is an important legal provision that obliges public sector bodies to assess and address human rights and equality issues. In our experience, the people we work have significant challenges around access to public services. The new NAPAR could usefully include actions to support the full implementation of the Public Sector Duty across all public sector bodies. Furthermore, monitoring and evaluation of public bodies in this regard is necessary.

- The Equal Status Act should be emended to explicitly include An Garda Siochana and Immigration Services the definition of "services" for the purpose of the legislation.

- Promote and support the implementation of the recommendation of the Advisory Group Report address the backlog of cases in the international protection system through the provision of adequate resources and to regularize the status of people who have been in the system for more than two years is necessary in order to effectively address delays going forward.

MEDIA & COMMUNICATIONS

- Undertake actions to increase awareness of the impact of racist hate speech; how to report incitement to hatred and how to report hate speech on social media platforms.
- Work collaboratively with An Garda Siochana to improve crisis responses to online incitement to hatred.
- Work collaboratively with social media platforms to improve moderation, monitoring and accountability.
- Develop guidelines on issues relating to racism for media and social media outlets.
- Implement recruitment initiatives aimed at increasing the diversity of staff working in State-owned media.
- Design and deliver public education initiatives, including media campaigns, that discuss and address racism.
- Ensure that politicians are held accountable for racist hate speech and incitement to hatred.
- Undertake initiatives aimed at increasing political participation and representation of people from a migrant background.

EMPLOYMENT, EDUCATION, HEALTH & ACCOMMODATION
- Undertake recruitment campaigns to ensure increased employment of people form a migrant background in the civil service.
- Anti-racism initiatives that aim to raise awareness and provide guidance among employers and employment agencies are much needed.
- Ensure the availability of accessible information on rights and redress options for people who have experienced racism while seeking employment or in the workplace.
- Undertake actions that aim to improve the accessibility of information around rights and entitlements to social welfare.
- Establish systems to monitor social welfare decisions made relating to people from a migrant background.
- Undertaking a review of the impact of the Habitual Residence Condition policy.

- Promote and ensure the use of language interpreters between public services employees and migrant service users.

- Training on anti-racism for public service employees.

- Improve data collection and analysis of health issues among migrant and refugee populations in Ireland to inform health policies and service provision.

- Support the design and delivery of public health information campaigns to combat racism, to address the social and cultural norms that perpetuate racism in Ireland.

- A compulsory anti-racism training programme for all school staff and management should be developed, including guidance on how to respond to reports of racism and how to support pupils and students who have experienced racism.

- Undertake increased efforts to increase diversity in the teaching profession.

- Anti-racism, diversity and cultural studies should form a part of the primary and secondary school curriculum in Ireland, incorporated into and across all subjects. Furthermore, textbooks and visual aids for the classroom should be updated in to ensure diversity and representation.

- Review employment and education policies that exclude people from a migrant and refugee background on residency grounds to determine the intended objectives and the impact of same.

- Increase awareness around the rights and redress options available to people who experience racism and discrimination when seeking to access accommodation.

- Engage with representative professional bodies working with employers, businesses, property owners and tenants to promote anti-racism.

- Ensure that residents of Direct Provision centres have access to effective complaints procedures and have information on how to report racism.

INCLUSION & PARTICIPATION

- Develop and implement actions to increase the representation of people from a migrant background in all areas of public life in Ireland, including recruitment campaigns and targeted outreach.

- Information about opportunities to participate in public life must be multilingual and accessible.

- Review policies that exclude people from a migrant and refugee background from participating in public life in Ireland to inform the development of new policies and actions that promote participation in these areas.
- Develop and implement data collection systems on racism and discrimination in all its forms, disaggregated by ethnicity, nationality, residence status and other key indicators to ensure that policies are evidence-based and specific to the circumstances of the protected groups experiencing racism and discrimination going forward.

FURTHER INFORMATION

For more information on our work, please visit www.doras.org or contact us by email at

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Submission Towards a National Action Plan Against Racism for Ireland
July 2021

Introduction

Early Childhood Ireland is the leading membership organisation in the early years sector, focused on our compelling vision of putting the child at the centre of our work. Early Childhood Ireland (ECI) has a strong track record which spans over five decades, and we currently have 3,900 members, who support over 120,000 children and their families through preschool, afterschool, and full day-care provision nationwide. Our work includes quality enhancement, communications and publications, advocacy, training, support & information for a sector that employs over 30,000 people.

ECI welcomes the opportunity to feed into the National Action Plan Against Racism for Ireland. We believe that the Early Learning and Care (ELC) and School-Age Childcare (SAC) sector is key in promoting racial equity in Irish society. We structure this submission around selected questions suggested in the guiding document.

We put forward three core arguments: first, the ELC/SAC sector is a substantial employer of female migrants, and therefore professionalising the sector is key to improving their working lives; second, the development of ELC/SAC services facilitates the labour market integration of migrant/minority parents; third, and most importantly, an accessible and high quality ELC/SAC sector is central to the cognitive, mental, physical and social development of all children – and especially of children from migrant/minority backgrounds. We also extend the understanding of access[1] to ELC/SAC services for children and families to include children's and their parents' participation in services. We do this: (i) because services are accessible it does not mean that parents will bring children to them or bring them

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[1] Irish policy does not define what constitutes an accessible ELC or SAC service for a child. However, a useful definition is; 'Access to early care and education means that parents, with reasonable effort and affordability, can enrol their child in an arrangement that supports the child's development and meets the parents' needs'. Friese, S., Lin, V., Forry, N. & Tout, K. 2017. Defining and Measuring Access to High Quality Early Care and Education: A Guidebook for Policymakers and Researchers. OPRE Report #2017-08. Washington, DC: Office of Planning, Research and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

consistently, for many reasons, (ii) children have a right not just to access ELC services, but to participate equally in them[2] and to benefit equally from participation[3].

Policy recommendations are discussed throughout this submission, and we conclude by providing a summary list of these.

Are there particular sectors of the labour force where action needs to be prioritised to combat racism?

Female migrant workers face multiple layers of disadvantage in the labour market[4]. The first layer arises because they are migrants, and as such:

- They are prone to individual discrimination, defined as unfair treatment based on race and/or ethnic origin;

- It is more likely that they are not fully aware of their rights, or do not know where to seek help;

- As a general rule, they are never as proficient in the local language as their native competitors. In many cases, their linguistic capabilities are very limited;

- Their professional networks are limited, especially in the early years of migration;

- Qualifications obtained in the country of origin are not always recognised in the country of destination, or the process of recognition is costly and lengthy;

- In the case of non-EU migrants, they do not have the same social welfare rights as locals. One of the main rationales for the existence of social welfare benefits is to protect citizens from exploitative work by ensuring that they have access to minimum means of subsistence. By not having access to the same safety nets provided by the state – and also by families – as locals, migrant workers are much more exposed to precarious and exploitative employment practices.

- Also in the case of non-EU migrants, they might have restrictive employment permits, which for example, limit the number of hours that they can work per week.

The above is a non-exhaustive list of factors which limit the options of employment and impose barriers to career progression. As a consequence, the incidence of minimum wage among non-Irish nationals is over twice that of Irish employees[5]. It is worth noting that Irish nationals who belong to

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[2] Correiaa,N. Camiloa, C, Aguiara, C., Amarob, F. Children's right to participate in early childhood education settings: A systematic review, Children and Youth Services Review, 100 (2019)

[3] UN Committee on the Rights of the Child, 2005. General Comment no 7, Implementing child rights in early childhood.

[4] International Labour Organization. 2003. Booklet 1, Introduction: why the focus on women international migrant workers. Geneva: ILO.

[5] Maitre, B., McGuinness, S., & Redmond, P. 2017. A study of minimum wage employment in Ireland: the role of worker, household and job characteristics. Dublin, Ireland: ESRI.

race/ethnic minorities can also face stark labour market disadvantages. The most extreme case is the one of Irish Travellers, a group that faces an unemployment rate that evolves around an astonishing 80%[6].

The other factor is gender. Women are over twice as likely to earn the minimum wage relative to males[7]. One of the main drivers of the gender pay gap is the phenomenon of horizontal occupational segregation[8]. This refers to the clustering of men and women across occupations, which has been historically dictated by gender norms and carry an associated tendency of female-dominated professions to be more precarious than men's. Childcare is known to be one of the main sources of employment for immigrant women around the world. It is no different in Ireland, despite the fact that the exact proportion is not captured by available statistics; but the ELC/SAC sector in Ireland is also a very precarious source of employment. Therefore, any strategy that aims at improving the working lives of women who belong to racial and ethnic minorities necessarily involve promoting the professionalisation of the ELC/SAC sector.

In 2018/2019 the average hourly wage of staff working in the ELC/SAC sector was €12.55[9]. This figure was approximately 47% below the average national wage[10]. The sector can also be described as a 'low hours' sector in comparison to others, as over half (54%) work 30 hours or less per week. In addition, contractual conditions are precarious, with the majority of staff being on fixed-term contracts for the academic year. The precariousness is also reflected on the lack of access to basic worker rights – it was estimated that almost 80% of workers do not have sick pay, 90% do not have a private pension and approximately 65% do not have paid maternity leave[11].

Moreover, because of the relative underdevelopment of the ELC/SAC sector in Ireland compared to other European contexts, in terms of difficulties of access and overall quality, the informal provision of childcare services is quite prominent in the country. The latest CSO data showed that only 13% of children aged 0-12 attended an ELC/SAC setting. Home-based provision is largely unregulated.

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[6] CSO. 2016. Census of Population 2016 – Profile 8 Irish Travellers, ethnicity and religion. Available from: https://www.cso.ie/en/releasesandpublications/ep/p-cp8iter/p8iter/p8itseah/
[7] Maitre et al (2017), op. cit.
[8] Keane, C., Russell, H. and Smyth, E. 2017. Female participation increases and gender segregation. Dublin: ESRI, Working Paper n. 564.
[9] Pobal. 2019. 2018/2019 Annual early years sector profile report. Dublin: Pobal.
[10] CSO. 2019a. Earnings and labour costs annual data – 2019. Available from: https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2019/
[11] Early Childhood Ireland. 2020. Pathways to Better Prospects: Delivering Decent Terms and Conditions for Early Years Workers in Ireland. A Literature Review. Dublin: Early Childhood Ireland.

Approximately 10% of children were cared for by a childminder, au pair or nanny[12]. While the government estimates that there are approximately 15,000 (non-relative) childminders[13] in Ireland, currently, fewer than 80 childminders are registered with Tusla[14]. There are no official estimates on the number of au pairs and nannies. Meanwhile, in countries such as Denmark, informal care outside the family is forbidden by law[15].

Female migrants working in unregulated settings are exposed to another layer of disadvantage, compared to their peers who work in regulated environments. The existing literature provides some accounts of the lived experiences of those who work in domestic settings, with evidence of "high level of exploitation and abuse"[16]. Undocumented workers face another layer, as the constant threat of deportation eliminates their power of negotiation.

What measures could be introduced to promote employment and labour market inclusion?

Female employment rate in Ireland (63.7%) is only marginally below the EU average (64.2%), but it is way below the top performing countries. The highest rate is registered in Sweden (75.9%)[17]. Ireland also registers the lowest employment rate among lone parents in the EU and the EU's second highest share of 50–64-year-olds not in paid employment because they are looking after children or incapacitated adults[18].

Many studies have shown that the presence of children in the household is a significant barrier to the participation of mothers in the labour force in Ireland. This is largely due to the high costs of childcare[19]. A recent Unicef report that analysed ELC/SAC systems in 41 high-income countries ranked Ireland as having the third least affordable childcare. It was estimated that a couple with two children would have to spend about a third of the average wage on childcare costs – which is only higher in New Zealand and Switzerland[20]. In 2018/19, the average weekly national fee, per child, for full day provision was €184.36. Other barriers to access also exist. Only 39% of services operate 31 hours or

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[12] CSO. 2017. Module on Childcare. Available from: https://www.cso.ie/en/releasesandpublications/er/q-chi/qnhschildcarequarter32016/

[13] A childminder is a person who singlehandedly minds children in the childminder's own home.

[14] DCEDYI. 2021. National Action Plan for Childminding (2021 – 2028). Dublin: DCEDYI.

[15] Naumann, I., McLean, C., Koslowski, A., Tisdall, K., and Lloyd, E. 2013. Early childhood education and care provision: International review of policy, delivery and funding. Edinburgh: Scottish Government.

[16] MRCI. 2012. Part of the family? The experiences of au pairs in Ireland. Dublin: Migrant Rights Centre Ireland.

[17] CSO. 2019b. Women and Men in Ireland 2019. Available from: https://www.cso.ie/en/releasesandpublications/ep/p-wamii/womenandmeninireland2019/work/

[18] Sweeney, R. 2020. Cherishing all equally: Inequality and the care economy. Dublin: Tasc, Feps.

[19] Russell, H., McGinnity, F., Callan, T., & Keane, C. 2009. A woman's place-female participation in the Irish labour market. Dublin: ESRI, The Equality Authority.

[20] Gromada, A. and Richardson, D. 2021. Where do rich countries stand on childcare? Florence: Unicef.

more during term time. In addition, more than half of services operate for 38 weeks or less[21]. It is no coincidence that the countries with the highest proportions of women in the labour market also have highly accessible ELC/SAC systems.

Combining work with caring responsibilities in the context of migrant families is especially challenging. In general, they have reduced access to the networks of extended families, which means that they are more dependent on paid childcare support when parental care is not possible. This added to reduced levels of income compared to Irish families on average make ELC/SAC services even more unaffordable. As a result, a study of second-generation migrant children found that immigrant mothers are far less likely to return to work after having children, compared to nationals. While about 42% of Irish mothers returned to work within nine months of giving birth, only 25% of immigrant mothers did so. This finding is particularly relevant given the high rates of full-time employment among migrant women before having children[22].

Therefore, the promotion of a high quality, universally accessible ELC/SAC system necessarily incentivises labour force participation among migrant parents – especially migrant mothers. It is true that childcare choices are determined by a complex combination of factors other than the structure of supply of ELC/SAC services. Cultural norms that reinforce gender roles can have a strong influence on childcare arrangements. But evidence from countries with highly developed ELC/SAC systems show that migrants tend to follow the overall attitudes to childcare of the destination country[23] and are highly supportive of public childcare[24]. This shows how gender norms are not static – on the contrary, they are very much amenable to the shaping of public policy.

How can we ensure the equality of all children in terms of access to services? What initiatives do you think could help to combat racist stereotypes?

Extensive evidence shows that early life experiences are directly connected to cognitive development, physical and mental health, which impact the person's life in the long run[25]. This way, all children

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[21] Pobal (2019), op. cit.

[22] O'Brien, C. 2014. Immigrant parents less likely to return to work after giving birth, report finds. The Irish Times. Available from: https://www.irishtimes.com/news/social-affairs/immigrant-parents-less-likely-to-return-to-work-after-giving-birth-report-finds-1.1883193

[23] Seibel, V., and Hedegaard, T. 2016. Migrant's attitudes to childcare: An explorative overview of ten migrant groups' attitudes to formal childcare in the Netherlands and Denmark. ESS Conference. Available from: https://www.europeansocialsurvey.org/docs/about/conference/HEDEGAARD_SEIBEL_Child-Care-Attitudes-of-Migrants.pdf

[24] Breidahl, K. N., Hedegaard, T. F., Kongshøj, K., and Larsen, C. A. 2021. Migrants' Attitudes and the Welfare State: The Danish Melting Pot. Available from: https://www.elgaronline.com/view/9781800376335.00017.xml

[25] Britto, P., Engle, P., and Super, C. Eds. 2013. Handbook of early childhood development research and its impact on global policy. Oxford: Oxford University Press.

benefit from access to high quality ELC/SAC services. Moreover, it has been extensively shown that children from certain backgrounds benefit even more from this access. The benefits of early childhood education for immigrant children and children from racial minorities are well established. Early education is especially important in the development of the local language, which supports children as they transition across and through the education system. It also provides comprehensive supports to families and fosters integration in the community[26].

An analysis of enrolment rates in Ireland shows that the country has achieved nearly universal access for 3- and 4-year-olds, thanks to the Early Childhood Care and Education Programme (ECCE) programme. ECCE is a universal two-year pre-school programme, which provides access to ELC/SAC services for three hours per day, five days per week during term time, free of charge to parents. Data on enrolment to the ECCE programme by ethnicity shows that white children have the highest levels of enrolment (about 94%). Black and Asian children also register rates which are above 90%. However, there is still space for improvement when it comes to the inclusion of children from the Traveller and Roma communities, as their enrolment rates are 73% and 77%, respectively[27]. The participation of children from the Traveller community is increasing in absolute terms and relative to the Traveller child population is welcome[28]. However, there are no policy targets or appropriate national programmes that seek to improve access to and participation in ELC and SAC services for these groups of children, and they are required.

Ireland's high-quality annual national early years profile from Pobal, which provides data on the services and service users whose access is supported through the Department of Children's national funding programmes, monitors data only for Traveller children and families. We need annual administrative data to for policymaking and target setting and monitoring on children's and families' access to ELC and SAC services to understand service access for the groups of children and their families that are of interest to the National Action Plan Against Racism in order to develop any required policy and funding actions.

Despite the success of the ECCE programme in promoting access, the free entitlements are limited, both in terms of number of hours and age. The analysis of other indicators suggest that families are very dependent on the free entitlements. Regarding intensity of participation, it is estimated that

[26] Matthews, H., & Ewen, D. 2010. Early education programs and children of immigrants: Learning each other's language. Washington, DC: Urban Institute.
[27] DCEDYI. 2020. Improving Access to ELC & SAC. Online Workshop, 1st session, 13 October 2020.
[28]

28.3% of children aged between 3 and the compulsory school age attend formal childcare[29] for at least 30 hours a week, while the EU average is 59.7%[30]. As previously mentioned, most settings are not opened during the full year, and do not function for more than 30 hours a week. Regarding participation of other age groups, Ireland is the country in the EU with the lowest take-up rates of SAC (8%)[31]. Participation of under 3s is also below the OECD average[32]. There is no data about participation outside the ECCE programme according to race and ethnicity. But there are estimates that show that access of under 3s is largely mediated by the economic background of the family[33]. This suggests that race minorities might also lag behind, although further data is needed.

Tackling the aforementioned affordability issues and increasing the size of the formal ELC/SAC sector, through both centre-based and home-based services, are key to promoting universal access.
It is worth highlighting that there should be an expansion of formalisation that does not let go of quality standards, and high quality ECCE services are by definition, inclusive. An inclusive early childhood education is one that ensures that all children are exposed to diversity in their settings; and that all children are engaged with practices that affirm and promote their sense of self-worth and wellbeing from a racial and ethnic perspective[34].

Children are not born with racial biases, but they start developing these biases at a very young age, as showed by extensive research[35]. Studies show that at 6 months of age, children are able to categorize people by both gender and race. Toddlers already use their categorization of race to reason about people's behaviours. By the age of 5, children express preferences for their own race[36]. Children capture those biases from their environment, by interacting with family, peers, and by observing the wider social signalling, that attributes meaning and hierarchy to various racial groups.

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[29] The following are considered as a formal arrangement: education at pre-school, education at compulsory school, Childcare at centre-based services outside school hours (before/after) and childcare at day-care centre.
[30] Eurostat. 2019. Formal childcare by duration and age group. Available from:
https://ec.europa.eu/eurostat/databrowser/view/tps00185/default/table?lang=enhttps:%2F%2Fec.europa.eu%2Feurostat%2Fdatabrowser%2Fview%2Ftps00185%2Fdefault%2Ftable%3Flang%3Den
[31] Eurofound. 2020. Out-of-school care: Provision and public policy. Luxemburg: Publications Office of the European Union.
[32] OECD. 2018. Enrolment rate by age at early childhood education (ISCED 0). Available from:
https://stats.oecd.org/viewhtml.aspx?datasetcode=EAG_ENRL_RATE_AGE&lang=en
[33] OECD. 2019. PF3.2: Enrolment in childcare and pre-school. Available from:
https://www.oecd.org/els/soc/PF3_2_Enrolment_childcare_preschool.pdf
[34] NCTE. Racial Equity and Anti-Racist Teaching in Early Childhood Education. Available from:
https://cdn.ncte.org/nctefiles/racialequity.pdf
[35] Murray, C. 2020. Being nice is not enough. Scéalta – The Early Childhood Ireland Blog. Available from:
https://www.earlychildhoodireland.ie/scealta-blog/nice-not-enough/
[36] Miller, C. 2019. The Importance of Promoting Diversity in Early Childhood Programs. Available from:
https://infantcrier.mi-aimh.org/the-importance-of-promoting-diversity-in-early-childhood-programs/

Early childhood education has a key role in shaping and changing those racial norms from the very beginning of the individual's social development, helping to form a society with critical and well-informed citizens, and ultimately, to form a more equal society. It is also key in combating more 'tangible' manifestations of discrimination. A vast literature details how discrimination can be experienced by children in educational settings, which include both individual and structural forms of discrimination. The former includes, for example, negative interactions with staff and peers, low educational expectations and devaluation of native languages. The latter includes not having access to high quality services due to the geographical segregation of disadvantaged neighbourhoods and low engagement with parents due to linguistic and cultural barriers[37].

Currently, all key documents and pedagogical guidelines in early childhood education in Ireland give central importance to the theme of diversity. The main ones are the Early Childhood Curriculum Framework Aistear, quality standards Síolta and the Diversity and Equality Guidelines for Childcare Providers and Practitioners. They contain principles that are sensitive to cultural diversity in settings, identify potential issues and strategies of response. These principles draw heavily on an anti-bias approach to early childhood education, which can be defined as:

> *"Anti-bias approach views children from an early age as active meaning-makers and agents who learn about the surrounding norms and prejudices through socialization, but with the right support of adults they may be equipped to critically think and challenge attitudes and practices that are harmful or unjust to themselves and/or others"*[38]

Despite the quality of the guidance documents, the successful implementation of anti-bias pedagogical practices strongly depends on practitioners. The overall quality of an ELC/SAC system is intrinsically linked to the quality of the workforce. This brings us back to the importance of actively promoting the professionalisation of the ELC/SAC sector. Qualification levels of ELC/SAC staff have been consistently improving in recent years. In 2019, the total staff with qualifications at NFQ Level 5 or higher corresponds to 94% of all staff working directly with children. A quarter of staff had a qualification of Level 7 or above[39]. But reaching the policy goal of having a graduate-led workforce, as set by First 5, is only attainable if working conditions in the sector are substantially raised and if professionalisation in its multiple dimensions is fostered.

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[37] Adair, M. 2015. The impact of discrimination on the early schooling experiences of children from immigrant families. Washington, DC: MPI.
[38] Janelidze, A. 2014. Experiences and perspectives of practitioners in culturally diverse early childhood education and care centres in Ireland (page 22). Master's dissertation, Dublin Institute of Technology.
[39] Pobal (2019), op. cit.

Summary of Policy Recommendations

- Currently, the ELC/SAC sector is severely underfunded, as the Irish government is the lowest spender in the OECD[40]. Increased investment is a pre-condition for an expansion of centre-based services and for a progressive formalisation of home-based services, improving affordability and accessibility;

- Development of awareness campaigns on childcare rights and programmes, targeted at migrants/minority networks, in multiple languages;

- Introduction of institutional arrangements that channel the increased investment to wages and work conditions. We believe that the best arrangement is the introduction of a public ELC/SAC system, in which private providers are given the option to enter partnerships with the state. The specific design of those partnerships should be based on intensive stakeholder engagement;

- Addressing aspects of professionalization other than pay and conditions. This includes the creation of a professional body, and promoting appropriate initial professional education and continuous professional development (CPD);

- Creation of publicly accessible databases that track information on the racial, ethnic and socio-economic background of workers and characteristics of employment. This would allow for stakeholders to monitor the overall quality of employment and quality differentials according to race/ethnic origin;

- Currently, there is no monitoring of access to ELC and SAC services by children and families in the social groups in Ireland most at risk of experiencing racism and discrimination. This requires annual measurement and monitoring.

- Once work conditions in the sector are significantly improved, settings should have access to mechanisms to retain foreign workers, such as visa sponsorships. This would allow for a reduction in turnover rates. Promoting stable and nurturing relationships is very important from the point of view of children's development;

- The final National Action Plan Against Racism requires the publication of a time-lined implementation plan and a clear budget amount and budget line.

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[40] Early Childhood Ireland. 2021. *Rising to the Challenge - Investing in Our Future. Budget 2021 Submission*. Available from: https://www.earlychildhoodireland.ie/wp-content/uploads/2020/09/Budget-2021-Submission-WEB.pdf

A new National Action Plan Against Racism for Ireland

The Early Childhood Research Centre (ECRC) is an international and interdisciplinary research centre at Dublin City University. The Centre and its research team build on a long tradition of critical inquiry in the field. Our members investigate policies and politics, pedagogies and practices in early childhood locally and internationally from a critical perspective that is informed by a shared interest in the transformative potential of collaborative research. We actively promote close collaboration between research, policy and practice in the field.

Research teams at ECRC have initiated and are involved in numerous collaborative activities with local, national and international partners. These include international symposia, writing collaborations, and research collaborations with international and Irish partners in a global network of collaborative sites. Partnerships include universities and research centres, local authorities and early childhood settings, professional associations, advocacy networks, government agencies and departments, and international bodies.

At ECRC we provide a vibrant, dynamic international and transdisciplinary academic environment and doctoral community. We have a particular interest in early childhood policy, and in the professional practices of working with young children (from birth to 8), families and communities. With the research conducted at ECRC we position ourselves, and the study of early childhood, in a context of critical theory and practice, diversity and social justice. With our work we aim at contributing to what Paulo Freire calls critical consciousness (conscientização) in the field.

We welcome the development of a new National Action Plan for Racism in Ireland and would like to draw attention to the importance of such a Plan to include a focus on young children from birth, and specifically on the Early Childhood Education and Care (ECEC) system.

We emphasise the importance of systemic approaches to tackling racism in relation to young children because racism, while often experienced at individual level, can be embedded in the fabric of our society's institutions. Far from being a phenomenon experienced—and expressed—at individual level only, racism is structural and as such requires structural, integrated, and 'whole-systems' responses. The structural characteristic of racism is highly relevant for Early Childhood Education and Care for several reasons:

- A strong body of international and Irish evidence shows that children notice and experience difference from a very young age.
- Young children and their families are disproportionally affected by poverty, exclusion and inequality caused or exacerbated by racism.
- Early childhood institutions (which include childminders, crèches, preschools and all other organised settings for the education and care of children from birth) are often the first environment where young children experience societal reality outside the family home. It is in ECEC where they are exposed to societal attitudes towards difference and 'otherness', expressed by other children and by adults including educators.
- For young children from marginalised groups the realisation of difference is often linked to the realisation that their own identity is seen as inferior to, or not as desirable as that of children from the dominant group.
- Children from the dominant group are affected, too, as developing a self-image of own superiority (or even normality) from a very young age is damaging and undesirable at individual and societal level.

There is a broad consensus, grounded in solid research evidence, that early childhood is a critical period in human life. The right to education and care from birth is recognised at international level, expressed, for instance, in the United Nations Convention on the Rights of the Child (and specifically in General Comment No. 7), and the Charter of Fundamental Rights of the European Union. How we, as a society, realise these rights is critical for children, their families and communities. It is critical, too, for defining who we aspire to be as a society of diverse and equal citizens taking shared responsibility for our present, future. Such a perspective recognises Early Childhood Education and Care as a right, a common good, and an essential public service.

Recognising the structural characteristic of racism at all levels of society should be a central element of the new National Action Plan Against Racism. This recognition should extend to services, institutions, and support structures for young children from birth.

Tackling racism should be part of a comprehensive Diversity, Equality and Inclusion approach. The key features of which are to proactively engage with 'difficult' issues (i.e. exclusion, 'othering', pathologising).

Such an approach should be grounded in systematic support and resourcing of measures outlined in the existing Diversity, Equality and Inclusion Charter and Guidelines (DCYA, 2016). They include comprehensive and compulsory Diversity, Equality, and Inclusion (DEI) education for all members of the early childhood workforce at initial professional preparation (beginning at level 5) and embedded in a national continuous professional development strategy and plan for ECEC.

Countering structural racism in early childhood education and care from a comprehensive Diversity, Equality and Inclusion perspective should recognise the intersectionality of inequality, e.g. 'race', gender, class, ability.

This can best be achieved through the implementation of a comprehensive Anti-bias approach.

To devise and effectively organise such a proactive approach, a comprehensive, multi-sectoral, and integrated system of data collection, monitoring, and evaluation is necessary and should be included in the National Action Plan Against Racism. Such a system is recognised in its importance at global level (e.g. G20, UNICEF, ECDAN). It combines disaggregated data on children, families, and practitioners and links Education Management Information Systems (EMIS) with Health Management Information Systems (HMIS) and other relevant socio-economic data. It should be used to plan policies and actions, to monitor their implementation, and to evaluate their effectiveness.

Submission for Public Consultant

Towards a new National Action Plan Against Racism for Ireland

EDeNn is the Equality and Diversity Early Childhood National Network. Our vision is to promote respect and support the right of every child and adult to participate as an equal and active citizens in early childhood care and education in Ireland. We promote an Anti-bias Approach which addresses racism and all other forms of oppression.

EDeNn welcomes the opportunity to make a submission as part of the public consultation process *Towards a National Action Plan Against Racism for Ireland.* We would like to emphasise, and our key recommendation would be the inclusion of a focus on young children from birth in the Action Plan Against Racism. Our focus in on Early Childhood Education and Care (ECEC) which encompasses ECEC educators working in creche, preschools, childminders, afterschool providers and other institutional providers.

We believe that the Action Plan Against Racism must recognise the structural implications of racism in our society, in its governance and within institutions that provide services to children and adults in Irish society. There is also a need to address racism at the individual level.

Children are often overlooked when it comes to policies or initiatives addressing racism. A body of international evidence demonstrates that children as young as three years are already aware of difference and indeed are forming both positive and negative view about difference. Children are also learning about themselves and others and beginning to form their identity. For example, when Traveller children enter an ECEC service it might be the first time that they realise they are different and sometimes not in a positive way. As such we need to address Diversity, Equality and Inclusion, which includes a focus on racism and the intersectionality of oppressions, in Early Childhood Education and Care training and practice.

Recommendations:

- *Young children and ECEC are included in the Action Plan Against Racism.*

- Higher Education colleges delivering ECEC programmes need to include a focus on a critical pedagogical and an Anti-bias approach across their programmes. Anti-racism training should be provided for lecturers. Programmes should also be decolonised. Targets should be set to diversify the staff and student profile. Funding should be available to develop relevant materials that are representative.

- The Aistear Curriculum Framework (NCCA, 2009) (currently under review), Siolta Quality Framework (CECDE, 2006) should be reviewed and audited to ensure both frameworks are underpinned by the principles of Anti-bias addressing racism and the intersectionality of oppressions in line with the DEI Charter and Guidelines (DCYA, 2016).

- The DEI Charter and Guidelines for Early Childhood Care and Education (DCYA, 2016) supports educators to tackle racism on a range of levels from interpersonal to institutional. The DEI experiential training for implementing the DEI Charter and Guidelines (DCYA, 2016) should be reviewed and adequately resourced to extend beyond 15 hours of training. It should be mandatory, certified and include a capitation for the service.

- A national DEI Strategy for the ECEC sector needs to be developed building on current initiatives such as the Access and Inclusion Model which currently focuses on supporting children with a disability in ECEC service. A comprehensive strategy would mean addressing DEI holistically at pre-and in-service levels in ECEC and education.

- There is a need for disaggregated date in ECEC to meet the needs of all children. Traveller and Roma children are the most marginalised in Irish Society. Pro-active measures need to be put in place to support Traveller and Roma children in ECEC from access to participation. Funding should be made available for representative organisations to address young children's issues. City and County Childcare Committees should building strong relationships with the local representative organisations to support access for Traveller and Roma family in ECEC.

- An Action Plan Against Racism requires an implementation plan with monitoring requirement and set targets. Consultation with minority groups, young people and young children should be part of the evaluation process.

- Measurement of how well the plan is working would be evidence of an integrated DEI approach in ECEC for all children and especially for minority children.

This submission comprises inputs from:

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This brief document was generated in response to a call for input into the consultancy phase of Minister O'Gorman's efforts to craft a *National Action Plan Against Racism* for Ireland.

General Observations

The disruption created by the global pandemic and the impact of BREXIT has shone a spotlight on a society inherently challenged by what it means to be diverse and inclusive, where there is equality and justice for all. These events have marked the rise of populist nationalism in many parts of the developed world, and there is an increased perception of volatile nationalist and racist sentiments across society.

Higher education institutions (HEIs) have a critical role to play in developing and connecting the national, European, and global economic, political, and social agendas. The Black Lives Matter (BLM) movement has highlighted HEIs' role in enabling and supporting individuals, organisations, and society to become actively anti-racist. We recognise that HEIs provide a natural hub to represent, and coordinate the many facets, services, and user groups needed to align to support the UN's mission to create a just and sustainable society for all where no group is left behind supporting and enabling Ireland's and the EU's strategy on anti-racism. HEIs must be committed to eradicating racism and all forms of discrimination through education, research, and wider social engagement.

Selected University College Cork initiatives

Race Equality Forum (REF):[1] An initiative of the Equality, Diversity, and Inclusion (EDI) Unit and the Equality Committee, University College Cork (UCC) - the Race Equality Forum was established in 2019 as a way to engage directly with staff and students of colour and ethnic minority at UCC to draft proposals to form part of an embedded programme of action for the university. To the best of our knowledge, UCC was the only university in Ireland to have a REF prior to BLM. The forum was set up with two co-chairs, one internal and one external to the university, and all participants were people of colour or minority ethnicity. These conversations have provided staff and students the opportunity to share their 'lived experiences' of inequality, racism, and other negative experiences in a safe yet open environment.

It is a major finding of this forum that Irish HEIs must acknowledge that they are predominantly white. HEIs have by default upheld white supremacy. The student body is diverse - staff and management are not. This has directly impacted not just the culture of our universities but also in our structures and decision-making processes. UCC is leading this constructive debate by

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[1] https://www.ucc.ie/en/edi/projects/raceequalityforum/

publicly and vocally acknowledging that we are failing our black, Asian and minority ethnic staff and students and things must change. These uncomfortable truths are our first step to real change.

UCC's Response to recent European Union CERV Funding Call June 2021: In response to UCC's REF Conversations, a UCC team led by ▉▉▉▉▉▉▉ ▉▉▉▉▉▉▉▉▉▉ developed the CORD (Conversations On Race and Diversity) project proposal aimed at raising awareness and promote citizens, equality, rights, and values by directly engaging with issues of intolerance, racism, xenophobia, discrimination, hate speech and hate crimes by building on well documented evidence of 'the power of the conversation'. The premise of this project is based on consultation and leadership from with those with lived experience including staff and students of Irish HEIs. If funded, this initiative will enable the creation of a structured and safe forum including the 'CORD Virtual Café' for conversations among both likeminded and diverse individuals including citizens who have experienced racism, xenophobia, discrimination, hate speech and hate crimes, as well as community groups and essential local service providers.

Frederick Douglass Week: In 2018, University College Cork became the first Irish university to join an international research consortium investigating slavery. To commemorate the historic visit of esteemed abolitionist Frederick Douglass to Cork in the fall of 1845, UCC academics, in collaboration with students, artists, writers and community groups around Ireland, launched an annual **#DouglassWeek[2]** with the support of the Frederick Douglass Family. This is a collaborative event series that celebrates the arrival of Frederick Douglass in different countries around the world. The week is marked by a variety of performative events, creative installations, and critical discussion, offering a collection of responses to address the footprint of Douglass in each country.

Glucksman Gallery[3] (UCC): has curated a number of exhibitions and events directly addressing issues of race and racism in Ireland. One recent exhibition entitled "Being and belonging in contemporary Ireland" explores concepts relating to residency, placemaking, identity, and nationhood.

Regarding the *Interim Report to the Minister for Children, Equality, Disability, Integration and Youth Anti-Racism Committee November 2020,* it is encouraging to note the following:

- The comprehensive nature of the Interim Report and the call for consultation is commendable.
- The acknowledgement that Education plays a key role (Section 2.2) in the elimination of racism, as *"a key site for its reflection and reinforcement"*.
- The Covid-19 pandemic has revealed cases where blame has been unjustly directed at people with a minority racial or ethnic background. It is important to acknowledge that while the pandemic and other events, such as BREXIT, have highlighted different forms of racism and racial discrimination, this discrimination existed prior to these events and have been further exposed and exacerbated by recent crises.
- The acknowledgement of the intersectionality between racism and all other forms of oppression and the reality that individuals experience dimensions of racism differently.

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[2] https://www.douglassincork.com/
[3] http://www.glucksman.org/exhibitions/home

- The emphasis on the need for high quality robust race and ethnicity data to better tackle structural and institutional racism in Ireland.

In response to the Interim Report, we have directly addressed the question on how we would like to see racism tackled in the Higher Education Sector, we have briefly outlined a number of recommendations for further consideration.

1. Policy

Under Irish and European Law, Irish universities must address racial inequality by developing measures to tackle race-based discrimination and harassment. This may be achieved through policies and codes of conduct for staff and students in Irish HEIs.

Recommendation: Encourage all HEIs to review existing Dignity and Respect Policies and develop dedicated race equality policies and guidelines for handling complaints. This includes the provision of a lexicon of terminology related to race-based discrimination and what constitutes same. This must include a provision for Members of the Travelling Community.

2. Implementation of Report, Support, and Monitor Capability

HEIs have identified an immediate need to offer anonymous report and support capability to all staff and students. Online reporting tools provide individuals with a safe and anonymous way of reporting incidents of bullying, harassment, and sexual harassment without having to disclose an individual's personal details.

The third level sector in Ireland will introduce a Higher Education Authority (HEA) funded national Speak Out tool in October 2021. This will allow anonymous reporting to take place across 19 HEIs. This tool provides for reporting under all nine equality grounds set out under Irish Legislation, as well as socio-economic status. This provides a secure record of the incidents occurring that otherwise might not be brought to anyone's attention. This is a crucial resource for individuals, third level institutions, and the sector more broadly.

Recommendation: Annual reporting of statistics to a state agency such the Irish Human Rights and Equality Commission or the HEA is imperative to ensure accountability, benchmarking and to prompt action both institutionally and in the wider sector.

Consideration should be also given to diversification of support/counselling/guidance staff to support those who report racist discrimination and harassment within the third level sector.

Recommendation: Reporting systems should provide for counselling and guidance from Black, Asian, and Ethnic Minority staff/counsellors be this through positive action measures at appointment or through contract agreements with dedicated groups such as Black Therapists Ireland.

3. Data Collection

Measurement and effective data capture of race and ethnicity data is fundamental to progressing the National Action Plan Against Racism. The majority of HEIs have yet to collect data on race/ethnicity of staff and students which makes it challenging in terms of analysis,

benchmarking, and future action planning. The HEA has started to collect this data, but it will take time to build a comprehensive baseline picture. At present, race and ethnicity data labels and data definitions are informed by the Central Statistics Office and this is not necessarily reflective of the Irish population.

Recommendation: HEIs should work with the CSO (Central Statistics Office) to ensure categorisation used for national race equality benchmarking is reflective of the Irish population.

Athena SWAN[4] has proved particularly effective and while there is no move at present to introduce an Irish Race Equality Charter for Higher Education which might also be impactful, longer term discussions around the development of an EDI Charter for Ireland should consider how race equality will be measured and reported by HEIs and the wider sector.

Recommendation: Race equality must be central to the development of a wider Equality Charter for Irish HEIs.

4. Education and Training

Use of Innovative Technology

Technology is often cited as playing a negative role in perpetuating racism, particularly in terms of social media use and embedded human bias in Artificial Intelligence (AI) and Machine Learning (ML) technologies (we have seen some high-profile examples in the areas such as talent acquisition and facial recognition). There are significant opportunities to leverage the affordances of AI/ML to uncover new insights and detect unfair discrimination. Augmented and virtual reality may be developed to understand and share individuals' lived experience of racism. These may be used to support the development of actions plans, raise awareness, and support the delivery of tailored Race Equality training programmes.

Recommendation: Leverage emerging technologies such as Artificial Intelligence (AI) and Virtual Reality (VR) and co-creation approach to develop awareness raising and educational experiences for staff and students, these could be tailored for other settings as part of a wider training programme. For example, UArizona Center for Digital Humanities have developed an VR experience 'Walk in Someone Else's Shoes'[5] experience to simulate individual personal experiences of racism for students.

Tailored Training Programmes

The majority of online race equality training in Ireland is sourced from outside Ireland and does not consider the unique history and evolving context here. The HEA Intersectionality Working Group has developed an accessible glossary of terms related to race equality in the Irish context which could be used to underpin training and may be applicable to other sectors.

Recommendation: Engage with Irish University Race Equality Forums, the HEA Intersectionality working group and advocacy organisations to develop an Irish-focussed

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[4] framework which is used to support and transform gender equality within higher education (HE) and research
[5] https://news.arizona.edu/story/anti-racism-project-uses-virtual-reality-let-people-walk-someone-elses-shoes

online training programme on race equality which can be made available the Irish HEI (Higher Education Institutions) sector, but also potentially the wider civil and public service.

Education

Through teaching, research, and engagement, the elimination of racism should be "at the heart" of everything we do in higher education. UCC's Graduate Attributes Programme[6] aims to support all students "as creators, evaluators and communicators of knowledge, independent and creative thinkers, digitally fluent, socially responsible, and effective global citizens, who recognise and challenge inequality."

Recommendation: With a focus on developing core values and attributes, HEIs need to ensure the delivery of a holistic education approach that nurtures the professionals of the future in developing key skills and values to actively influence practices, policies, and standards as they complete their student journey, grow as citizens, and pursue their career goals.

Recommendation: Encourage Irish HEIs to make online Race Equality Training available to all students and staff, the Bystander Intervention is an exemplar of how to achieve this.

Conversations Forum

The first step in building coalition and capacity comes from talking to and not at each other. At UCC, we have used the 'Conversations on Racism' format which creates a user led and bottom-up approach. Having a conversation with someone on inequality and injustice is deeply personal and emotional. The first step is to acknowledge the difficulty and discomfort these conversations bring. Often, one avoids discussion on topics that are understood as contentious. Speaking of racism is one such example where it becomes so personal that those in conversation want to say the 'right' thing to avoid being perceived as or called out as racist. This is one of the reasons why, in combatting racism, institutions tend to organise training programmes. Such programmes typically avoid these personal conversations, creating distance from the 'lived experiences' of racism. The recent conversations led by Dr. De Sondy, on issues relating to race and racism have shown that real change comes when we get personal and emotional.

Recommendations: Building on UCC's model, utilise the Conversations model for real and meaningful conversations om racism, putting those with 'lived experience' at the heart of discussions and decision making, alongside those empowered to create the services that support them.

5. Awareness Raising

Irish universities need to develop closer relationships with large technology companies headquartered in Ireland and the Department of Justice to develop evidence-based solutions to tackle online race-based discrimination and harassment. Computer Science, Information Systems, Digital Humanities, and Law Schools and relevant research centres could play an invaluable role in progressing this initiative.

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[6] https://www.ucc.ie/en/graduateattributes/

Recommendation: Encourage engagement between large technology companies based in Ireland and Irish University Expert Groups on Race Equality.

Increase diversity in terms of role models and representation of Black, Asian and Ethnic Minority (BAME) groups on key decision-making bodies is key in the HE (Higher Education) sector.

Recommendation: Encourage Irish HEIs to put targets in place to name fellowship, scholarships, buildings, and other university assets after prominent BAME scholars, academics to help with profiling of role models and awareness raising.

Address racial and ethnic stereotypes in the media in terms of representation of Black, Asian, and Ethnic Minority academics and researchers.

Recommendation: Encourage Irish HEIs to provide supports and training to BAME academics, researchers, and students to promote greater visibility and raise profiles in traditional and new media regionally, nationally, and internationally. Work more closely with media as partners in building awareness and collaboration in combatting racism.

6. Targeted National Funding Calls: Education, Research & Innovation

To influence and shape policies, regionally and nationally, targeted resources are required to weave race equality into the fibre of the structures, decision making, and behaviours in HEIs so that we can continue to combat racism. New national funding calls could be made available to:
- Support research directly targeting the elimination of racism in Ireland,
- Support the development and implementation of data infrastructures, innovative technology, and reporting processes in Irish HEIs,
- Promote student and staff awareness through training and education programmes, which are informed by, and directly relevant to the Irish context,
- Advocate for greater embeddedness of race and ethnicity in the Irish research funding landscape more broadly. Research funding bodies could be encouraged to require similar standards to Athena SWAN i.e. addressing racial inequality and discrimination to be eligible for funding. Noteworthy, intersectionality will be further elevated in the new Athena SWAN Charter (due November 2021) and that this is one potential avenue to leverage change and accountability in the absence of a dedicated Race Equality Charter or wider Equality Charter in Irish HEIs.

Submission to the Anti-Racism Committee for the Development of a National Action Plan Against Racism (NAPAR)

███████████████████████████████████

Economic and Social Research Institute, July 2021

INTRODUCTION

The marked increase in immigration that accompanied the economic boom of the late 1990s and early 2000s brought considerable ethnic and national diversity to Ireland, though the Irish Traveller minority group has always been present. The development of a National Action Plan Against Racism (NAPAR) is timely and important in order for Ireland to respond to growing concerns about racism and discrimination in Irish society, including in the labour market, education, housing and health. This submission collates relevant research findings on the attitudinal context, incidence and experience of racism and discrimination in Ireland, as well as on changing attitudes within wider society. The focus is on minority ethnic groups, supplemented at times by information on national or immigrant minorities, as the groups overlap. In particular, ESRI research informs themes 3 and 4 of the public consultation: Employment, education, health, and accommodation; and inclusion and participation. Critical data challenges are discussed along with key future priorities for data collection, including the importance of monitoring the future anti-racism strategy.

THEME 3 – EMPLOYMENT, EDUCATION, HEALTH AND ACCOMMODATION

Employment

In terms of employment, research suggests disadvantage and discrimination are most pronounced for the Black ethnic group and for Irish Travellers. Data from the 2016 Census reveals that the unemployment rate among Black respondents was high relative to other groups, though unemployment rates among Irish Travellers, at 80%, were highest of all the groups measured (McGinnity et al., 2021).

Considering both ethnicity and nationality, the Black non-Irish group is much less likely to be employed (0.4 times as likely) than White Irish, and they are also much less likely (0.3 times as likely) to hold a managerial/professional job than White Irish (McGinnity et al, 2018a).[1] The Black ethnic group also report higher rates of discrimination in recruitment than White Irish, White EU nationals and the Asian ethnic group, with the 'other/mixed' ethnic group in an intermediate position (McGinnity et al., 2018a). This is particularly true of Black non-Irish, who are five times more likely to report recruitment discrimination than White Irish. Irish Travellers report the highest recruitment discrimination – 10 times that of White Irish (McGinnity et al., 2017).

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[1] This research is based on data from CSO Equality modules in 2004, 2010 and 2014.

ESRI field experiment research conducted in 2009 showed that job applicants with Irish names are over twice as likely to be invited to interview as candidates with identifiably non-Irish names, even when both submit equivalent CVs. African, Asian or German applicants are around half as likely to be invited to interview as Irish candidates (McGinnity et al, 2009).

For some of the Black ethnic group, higher unemployment rates may be related to having come to Ireland seeking international protection: McGinnity et al., (2020a) find that migrants with a high probability of having come through the international protection system are more likely to be unemployed.[2] These findings indicate that migrants who came to Ireland to seek protection may need greater supports in order to integrate to the labour market integration, which is consistent with calls from UNHCR Ireland (2014) for increased supports for this group.

In the workplace, all non-White ethnic minorities (and some White non-Irish groups) report more discrimination in the workplace than White Irish – with Black non-Irish experiencing the highest rate of discrimination (McGinnity et al., 2018a).[3] This, along with evidence of recruitment discrimination, suggests a need for both government and employer-led policies to monitor, prevent and respond to incidences of discrimination in recruitment and in the workplace.

Education

While many foreign-born ethnic minority groups have relatively high levels of education, the importance of qualifications acquired abroad being recognised in Ireland has also been highlighted in research on migrant labour market integration. While Quality and Qualification Ireland (QQI) helps non-Irish nationals to have their qualifications recognised, it is crucial that awareness of this system is promoted among both immigrants and employers to prevent skills being underutilised and facilitate occupational mobility. Programmes that allow migrants to acquire and develop skills relevant to the Irish labour market, including English, should complement efforts to ensure recognition of qualifications, to address the disadvantage migrants may experience and ensure occupational progression (McGinnity et al, 2020a).

The situation is stark for Irish Travellers: in 2011, only 8% of Travellers aged 25-64 had completed education to Leaving Certificate level (Watson et al., 2017).[4] Education also plays a big role in understanding the low employment rates of this group: if Travellers and non-Travellers had the same characteristics in terms of education, age and other characteristics, the employment rate of Travellers would be just under two times lower (instead of the observed 6 times lower), though clearly additional barriers in the labour market remain.

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[2] Reason for migration is not included in the Census data so researchers use a measure based on a migrant's country of origin and flows of protection applicants from that country to estimate their probability of having come through the protection system.
[3] Travellers are not included in estimates of workplace discrimination as there are not enough of them in the workplace.
[4] Among younger adults, those in the 25–34, the figures are 9 per cent of Travellers had completed the Leaving Cert and 86 per cent of non-Travellers.

Health

The health situation of Travellers is an ongoing concern. The gap in poor health between Travellers and non-Travellers is smaller in childhood and early adulthood it increases very rapidly after the age of 35 (Watson et al, 2017). In the 55–64 age group, the adjusted gap in poor health was 28 percentage points (50 per cent of Travellers reporting poor health versus 22 per cent of non-Travellers).

More recent ESRI research has found that, based on available data until November 24th 2020, Irish Travellers, the Black ethnic group and the Asian ethnic group were more vulnerable to COVID infection than White Irish, making up a higher proportion of COVID cases compared to their proportion in the population (Enright et al., 2020).[5] Up to that point, the available evidence suggested that these ethnic minority groups were less vulnerable to deaths from COVID-19 than the Irish population, possibly linked to their younger age profile.

Housing and community

ESRI research finds that over half of non-Irish nationals in 2017/2018 lived in private rented accommodation, compared to 11% of Irish people (McGinnity et al, 2020b). This implies a much greater vulnerability of the group to current problems of affordability and security of tenure in the private rented market (see also Grotti et al. 2018). The first housing discrimination field experiment in Ireland by Gusciute et al (2020) found that Polish and Nigerian house-hunters were significantly less likely to be called for a viewing than Irish applicants, with Nigerians experiencing greater discrimination than Polish applicants in the private rented market. Irish Travellers were 11 times more likely to report discrimination accessing housing than the settled community, even after controlling for other factors (Grotti et al., 2018).

Some non-Irish and minority ethnic groups are also overrepresented in the homeless population, in particular the Black ethnic group and Irish Travellers. While Irish Travellers represent less than 1% of the 2016 total population, they make up 9% of the homeless population. The Black ethnic group made up 11 per cent of the homeless population in 2016 but only 1.4 per cent of the total population.

In terms of housing quality, 12 per cent of Travellers live in a caravan or mobile home, while 56 per cent live in overcrowded accommodation (Watson et al., 2017). Forthcoming research will look at housing including overcrowding among minority ethnic groups.

Bearing in mind research findings that the positive interactions between different ethnic groups lead to more positive attitudes, facilitating positive and meaningful social contact between immigrants, ethnic minorities and the general population is likely to foster integration (McGinnity et al., 2018a). By extension, avoiding residential segregation and ghettos may be helpful. Using 2016 Census data, Fahey et al. (2019) find that immigrants in Ireland are fairly evenly distributed

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[5] COVID-19 cases and death numbers in this report are based on data as of 25 November 2020 for events created on CIDR (Computerised Infectious Disease Reporting) up to midnight on Tuesday 24 November 2020. This was matched to data from Census of Population 2016 by CSO.

across neighbourhoods in Ireland and immigrants overall tend to live in more affluent areas, though migrants with poor language proficiency are concentrated in a smaller number of areas.[6]

THEME 4 – INCLUSION AND PARTICIPATION

Racism may be covert and difficult to detect. ESRI research carried out in 2020 reveals the gap between what people say in public about their attitudes to minorities in Ireland, and what they say when afforded anonymity. Whereas 66 per cent of people openly supported more Black people coming to Ireland, this dropped to 51 per cent when respondents could conceal their attitude. Fewer people openly supported more Muslim immigration, with no evidence that people conceal their attitudes (McGinnity et al, 2020c).

Other ESRI research finds a 'hierarchy of support for different immigrant groups: openly expressed support for Muslim and Roma immigration is lower in Ireland than support for immigrants from the same ethnic group as most Irish people: support for these two groups is also lower than the average for the ten Western European countries presented. A total of 17% of Irish people believes that some races/ethnic groups were born less intelligent, which represents a rate of openly-expressed racial superiority slightly above the West European average (McGinnity et al, 2018).

DATA AND RESEARCH NEEDS

Monitoring is a key component of any anti-racism strategy, to document the extent of disadvantage and discrimination, to motivate measures to combat it and monitor their effectiveness. A key limitation in the evidence base in Ireland on ethnic minority outcomes is that ethnicity is rarely measured, on either survey data or administrative data (Fahey et al., 2019).[7] What does this mean? It means we know nothing about the wages, working conditions, income, poverty rates, deprivation, self-rated health of ethnic minorities. It means we are limited in ability to report on the situation of ethnic minorities to International human rights monitoring bodies such as the Committee for the Elimination of Racial Discrimination (CERD) and the Committee on Economic, Social and Cultural Rights (CESCR) (McGinnity et al., 2021). In the labour market, an ethnic identifier on the labour force survey would considerably enhance our understanding of how ethnic minorities fare in the Irish labour market.

Ethnicity is also rarely measured on administrative data sources. Administrative data record all recipients of a given training course, medical treatment, or examination outcome, for example, and if ethnicity is recorded, this allows monitoring of both participation and outcomes. An ethnic identifier more widely used would considerably enhance the potential to monitor and tackle racism and discrimination. The linking of survey data with administrative data – for example, in numerous frontier publications by the by the Central Statistics Office (CSO)- offer great potential in terms of measuring equality outcomes.[8]

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[6] No analysis of residential segregation among ethnic minority groups has been conducted.

[7] There are important exceptions in survey data (Census, Growing up in Ireland data) yet ethnicity does not feature on regular social surveys in Ireland.

[8] For example see: https://www.cso.ie/en/statistics/health/aprofileofcovid-19inireland usingcensus2016householddatatoanalysecovid-19cases/

CONCLUSIONS

Varying attitudes to different ethnic minorities in Ireland highlight the importance of ongoing monitoring of attitudes to migrants as an indicator of the social context for migrant integration and of social cohesion in Ireland. This will be particularly important considering the likely economic aftershock of the pandemic, the effects of which may coincide with increased negative attitudes towards immigrants in Ireland.

The dissemination of accurate information may have an important role to play in informing the public about the immigrant population in Ireland, about their unemployment and poverty rates, educational qualifications, and other outcomes. Information can also be used to document the variability of the immigrant population in Ireland, to counter the perception that immigrants are a homogenous group.

Any successful anti-racism strategy will need the support of many, not few – policymakers, employers, co-workers, service providers, carers, to name but a few. Racism and discrimination can happen at all levels of society, from micro-interactions between a few people to government policy decisions impacting many, in publics settings and in private settings. Anti-racism measures need to operate at multiple levels too, and they need widespread support.

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Submission to the Anti-Racism Committee
by
Professor ██████████████████████████
European Centre for the Study of Hate[1]

July 2021

Contents

Introduction

This submission to the Anti-Racism Committee has been prepared by ███████████ ███████████████████████████████████ of the European Centre for the Study of Hate which is based at the University of Limerick. It is informed by our experiences over the last 8 years of researching the relationship between minority communities and criminal justice institutions. This submission is necessarily short, but we would welcome the opportunity to present to the Committee on our research, and are equally happy to answer any questions Committee members might have. All research cited in this submission is available on request.

This submission is arranged into sections which address some of the key themes that we think important for the Committee to consider in the context of the call for submissions. We consider hate crime legislation and racial profiling as two key aspects of supporting the right of access to justice on the part of minority communities, and for this reason they are highlighted in separate sections.

About the ECSH

The aim of the European Centre for the Study of Hate (ECSH – www.ul.ie/ecsh), which incorporates the Hate and Hostility Research Group, is to understand the hate that excludes and divides, and provide the tools to respond to hate effectively. An open, inclusive, and safe society for all is a core aim of the European project. This vision is under threat from the growing influence of those who wish to exclude minorities from society because of who they are or what they represent. Where hate is politicised, cultivated, and spreads across borders, it makes the European way of life unattainable for minority communities. Led by its ██ ███████████████████████████████████████ the work of the ECSH is organised by five themes:

- European Understandings of Hate
- Growing Up in an Inclusive Europe
- Criminalising Hate
- Populism, Politics, and Exclusion
- Margins and Marginality

The ECSH operates across multiple levels of orientation, with members working on interrelated topics - from individual prejudice (micro) to community impact (meso) to structural and legal contexts (macro). Faculty members from across the institution are members of the Centre, from ███████████████████████████████████████ ██ ██ ██████████████. The ECSH advances evidence-informed dialogue at European and national levels on challenging hate towards those who are marginalised or stigmatised. The ECSH is

the nexus for research-policy-practice linkages and the originator of translational interdisciplinary European scholarship on one of the most important issues facing Europe today.

Access to Justice

Access to justice is a fundamental human right protected by a multiplicity of international agreements and conventions. In order to facilitate access to justice, minority communities must be provided with both procedural and substantive supports to ensure their rights are protected (Rhode 2004). Typically, in the context of criminal justice, these supports are provided by way of, for example, legal aid and victim support services, but such supports often operate on the presumption that the communities in question trust the system to act in their best interests. For minority communities, this is not always the case. For example, whilst Conway observes that the police in Ireland have, since independence, "enjoyed unusually high levels of public confidence" (2014, p. 5) - as reflected in the European Social Survey, as well as Garda Public Attitudes Surveys - Mulcahy and O'Mahony (2005) observe that the high levels of confidence enjoyed by the police nationally are not found consistently across Ireland; they assert stark variations across divisional areas, and far lower confidence among young men from working-class backgrounds. In their research, policing practice was perceived to be more authoritarian and belligerent among the socially-excluded and marginalised communities. Thus, while supports may be put in place to protect the rights of access to justice, those supports may not be availed of by minority community members where trust deficits exist.

To further understand and explore the relationship between minority communities and criminal justice institutions, and appreciate the manner in which minority communities access justice, as well as obstacles thereto, we have conducted two major pieces of research. The first, *Gendered Policing and Policing Gender: The Trans Community and An Garda Síochána* was published in 2018. In that research, we adopted questions from the Garda Public Attitudes Survey to measure members of the trans communities' perceptions and experiences of An Garda Síochána. This research allowed us to draw indicative comparisons between the views of the general population as described in the Garda Public Attitudes Survey (2017) (which in 2017 had no diversity booster, and still does not have a diversity booster) and those of the participants in our Trans Policing Survey. The contrast was stark: 43% of the general population categorised themselves as having 'high trust' in An Garda Síochána as compared to only 8% of respondents to the Trans Policing Survey 2017; 69% of the general population categorised themselves as being 'very satisfied' or 'quite satisfied' with An Garda Síochána as compared to 34% of respondents to our Trans Policing Survey 2017; and only 8% of respondents to the Trans Policing Survey 2017 were of the view that An Garda Síochána are trans aware.

Building on that research, we are currently conducting a second, much larger piece of research which seeks to understand the relationship between the Traveller community and criminal justice institutions, *Irish Travellers Access to Justice.* Funded by the Irish Research Council and the Irish Human Rights and Equality Commission, this research recognises that procedural safeguards can be put in place to promote access to justice on the part of minority communities, and asks what steps can be taken to promote and protect the rights of access to justice in criminal matters. The project utilises a mixed methods approach, including an extensive survey designed by the research team in consultation with Traveller organisations, as well as focus groups and one to one interviews. The results will be available in Spring 2022. This research will explore and describe the relationship between Irish Travellers and criminal justice institutions, and will include evidence-based recommendations on how to promote the interests of minority communities through and within the Irish criminal justice process.

Our 2018 report on the relationship between Ireland's Trans community and An Garda Síochana developed a serious of recommendations for addressing relations between a marginalised minority and An Garda Síochána in the context of low trust. We consider that many of these recommendations have merit in addressing access to justice for ethnic and racialized minorities. They include the introduction of policing policies to govern encounters with the minority group, which address:

- dignity and respect in interactions with members of the minority community
- supporting minority victims of crime
- supporting victims of hate crime
- eliminating profiling
- addressing the respectful treatment and safety of minority persons in respect to search, arrest and detention (Haynes and Schweppe 2018).

In line with the recommendations made in that report, we assert that any review or monitoring of the operationalisation of the Victims' Directive include specific consideration of the needs of minority member victims of crime.

We further recommend that minority communities should not be responsible for ensuring that systems function in a manner which ensures that section 42 obligations are adhered to. For this reason, we recommend that training be introduced across criminal justice institutions. Throughout the remainder of this submission, we highlight key aspects of that training which we believe must be introduced. In the absence of such training, we will have good pockets of practice within institutions, but such practices will not be applied or enforced across the system.
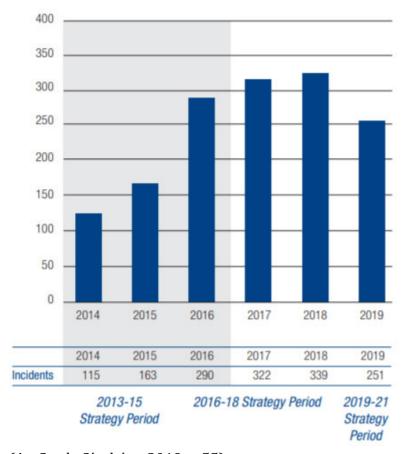
Hate Crime Legislation and the Importance of Implementation Measures

Research internationally consistently shows that hate crime has more significant impacts on victims that equivalent ordinary crimes. Indeed, this is recognised at EU level through the Framework Decision: in its Report on the implementation of the Framework Decision, the Commission states that one of the reasons for requiring racist and xenophobic motivations to be taken into account is the impact of this type of crime on "individuals, groups, and society at large" (2014: para 3.4). Direct impacts can range from physical injury to emotional and/or psychological harm. Hate crime is associated with a higher likelihood of physical injury. Using US National Crime Victimization Survey (NCVS) data, Fetzer and Pezzella (2019) found that the odds of victim serious physical injury were 23% greater for bias-motivated assault than non-bias assault. Pezzella and Fetzer (2017) also linked hate crime to the involvement of multiple offenders. They found that incidents involving two offenders were about 25% more likely to be motivated by bias, and incidents involving three or more offenders were about 73% more likely to be motivated by bias, than incidents involving only one offender.

Research has shown that there is also a qualitative difference to the emotional impact of hate crime as compared to non-hate motivated incidents. Analysis of data on experiences of hate crime, drawn from the Crime Victims' Survey England and Wales 17/18, 18/19 and 19/20 finds that victims of hate crime were more likely than victims of crime overall to report being emotionally affected by the incident (96% among hate crime victims compared to 83% among victims of crime overall). Victims of hate crime were also more likely to report being 'very much' affected (36% among victims of hate crime compared to 15% among victims of crime overall). Victims of hate crime also tended to report more severe emotional impacts. 42% of hate crime victims reported loss of confidence or feeling vulnerable after the incident, in contrast to 19% of victims of crime overall. Victims of hate crime were also "more than twice as likely to experience fear, difficultly sleeping, anxiety or panic attacks, depression or crying/tears compared with victims of overall CSEW crime" (Home Office 2020)

As recording practices have been refined, the rates of police recorded hate crime in Ireland have increased:

Incidents of Hate Crime

	2014	2015	2016	2017	2018	2019
Incidents	115	163	290	322	339	251

2013-15 Strategy Period | 2016-18 Strategy Period | 2019-21 Strategy Period

(An Garda Síochána 2019, p.55)

However, it has been widely acknowledged by members of An Garda Síochána and by civil society organisations that police recorded and third party data on the prevalence of hate crime in Ireland are an underrepresentation. Members of An Garda Síochána to whom we spoke in the course of our 2015 research fully accepted that police recorded data represents a significant undercount of hate crime occurring in Ireland (Haynes et al 2015). In 2017, the Central Statistics Office, conducted a review of police recorded data on hate crime, referred to as crimes with a 'discriminatory motivation', as part of a wider review of the quality of crime statistics. While some crimes may have been incorrectly recorded as associated with a discriminatory motivation, they found evidence of significant levels of under recording:

> "The analysis indicates that statistics on crimes with a discriminatory motive for 2017 based on the MO data field would understate the number of recorded incidents where such a motive is known or suspected. The level of understatement is likely to exceed the estimated 27% based on the keyword search analysis used … " (CSO 2018, p24).

The effects of under-recording on the identification of hate crime victims and their access to justice, are exacerbated by high levels of underreporting that, as we have outlined above, we consider to be produced by gaps in trust. The 2015-16 EU Fundamental Rights EU MIDIS II Survey found that of a sample of 425 immigrants and descendants of immigrants from Sub-Saharan Africa living in Ireland, 38% had experienced harassment due to their ethnic or immigrant background in the 12 months before the survey (FRA 2017, p. 59). The Country Data for Ireland, available via the FRA Data Explorer, shows that 79% of these did not report their last experience of harassment due to their ethnic or immigrant background to An Garda Síochána or any other organisation. 52% gave the reason that nothing would happen or change by reporting the incident. 8% of the Irish sample had experienced physical attacks due to their ethnic or immigrant background in the 12 months prior to the survey. 44% had not reported their last experience of physical attacks due to their ethnic or immigrant background to anyone (FRA 2017). The 2019 Roma and Travellers in Six Countries project found that of a sample of 518 Travellers living in Ireland, 52% had experienced hate motivated harassment and 7% had experienced hate motivated physical attacks in the 12 months prior to the survey (FRA 2020, p.35). Across the six countries surveyed, 93% of incidents of hate motivated harassment and 88% of physical attacks which happened over the five years prior to the survey were not reported to the police, or indeed to anyone. 53% of those who did not report said that they decided not to because they thought that "nothing would happen or change if they reported it" (FRA 2020, p.33).

In Lifecycle of a Hate Crime: Country Report for Ireland, we made a series of recommendations with respect to the manner in which hate crime should be addressed through the criminal justice process. Although it is not possible in this submission to reproduce the 216 pages of the research report on which these are based, we reiterate the concluding recommendations of that research on the treatment of hate crime in the Irish criminal justice system (Haynes and Schweppe 2017) and commend the Report to the Committee for their consideration. The recommendations which still stand in 2021 are:

- The development of mechanisms to collect and publish data on the prosecution and sentencing of crimes which have been flagged as a hate crime.
- The introduction of legislation incorporating aggravated offences and sentencing provisions specific to hate crime. (in process)
- The reform of the Prohibition of Incitement to Hatred Act 1989, in particular to address cyber hate and to protect a more inclusive range of groups.
- All members of An Garda Síochána and GISC to be given access to documentation and training on protocols for recording a hate crime, including elaborated definitions of the recording categories and the perception test, and protocols governing the circumstances in which a discriminatory motive should be recorded.

- A public awareness campaign to encourage members of the public to report hate crimes , and to ask for the hate crime marker to be selected when they do so.
- Those working within Garda Victim Service Offices to adopt a sign-posting role with respect to authorities responsible for addressing common non-crime hate incidents.
- The development of protocols for the explicit communication of the hate crime marker to the responsible investigator and the prosecution.
- Published guidelines on the investigation of a hate crime
- The development of a specialist hate crime investigation unit in each of the six garda regions.
- Training on the investigation of hate crime to be provided to all stakeholders involved in crime investigation.
- Full scale review of the role of the Ethnic/Diversity Liaison Officer.
- Automatic inclusion of specialist investigative and ethnic/diversity liason officers into hate crime investigations.
- An expansion of the number and range of ethnic/diversity liaison officers available nationwide and a programme of continuous professional development for officers occupying these roles.
- The incorporation of ethnic/diversity liaison officer roles into rostering arrangements, such that at least one such officer will be available 24/7 in each of the 109 garda districts.
- The development of a formal link between the work of ethnic/diversity liasion officers and the work of the Garda Victim Liaison Offices.
- The development of specific guidelines on prosecuting hate crime by the Office of the Director of Public Prosecutions, with particular reference to:
  - Considerations in determining whether to prosecute a hate crime.
  - Introducing a hate element in court.
  - Pre-trial discussions (plea agreements) in respect to hate crime.
  - Published guidelines for prosecutors working with victims, witnesses or offenders in a case involving a hate element.
  - Bespoke training for all prosecutors on identifying, recognising and prosecuting hate crime.
- Full scale review of the role of gardaí as prosecutors.
- The introduction of a specific statutory provision which requires courts to consider the hate element of an offence in all cases.
- Bespoke training for all judges on recognising and sentencing hate crime.
- Including the development of provisions with respect to hate crimes with a discriminatory motive in the Probation Service of Ireland's next Strategy Plan. Continued co-operation with the Northern Ireland Probation Service towards this end.

A National Action Plan Against Hate Crime

Alongside a National Action Plan Against Racism (NAPR), we recommend the introduction of a National Action Plan Against Hate Crime (NAPHC). The publication of the General Scheme of the Criminal Justice (Hate Crime) Bill is to be welcomed, and we look forward to working with the key stakeholders in ensuring that the legislation is fit for purpose and appropriate for the Irish constitutional, legislative, and policy context. However, the presence of hate crime legislation on statute books cannot be seen as a panacea which will address all forms of prejudice and discrimination in society. The legislation needs to be scaffolded by significant implementation measures to operate successfully, particularly in the context of a criminal justice system which some see as institutionally racist. A National Action Plan Against Hate Crime will acknowledge the necessity of polices and training to the successful implementation of the legislation, provide for their introduction, and establish a timetable for their establishment.

Schweppe et al. (2018) further outline the following core actions that should be covered by such a plan, which we believe should be adopted here:

a. Setting out a system for monitoring and recording of hate crime;
b. Actions for improved reporting;
c. Development of guidance policies for police, prosecutors, and judges on addressing hate crime;
d. Development of effective criminal justice interventions that address the underlying of causes of hate crime;
e. Victim support initiatives;
f. Education as prevention.

Developing on these proposals, Schweppe and Walters (2021) set out a series of recommendations with respect to the implementation of hate crime legislation internationally. Though the recommendations explicitly address the implementation of anti-LGBT hate crime legislation, the majority of their recommendations are applicable to hate crime legislation generally. These include the introduction of national strategies, institutional measures, and educative campaigns on hate crime, and hate crime legislation.

To contribute to addressing underreporting, we further recommend investment in the training and resourcing civilian victims' advocates within the minority community advocacy and support organisations who can accompany victims to make crime reports. Generic victim support services are insufficient for the needs of minority communities generally, or for supporting victims of hate crime specifically.

Racial profiling

Whilst there are no official data on racial profiling by An Garda Síochána in Ireland, the EU MIDIS Survey II in Ireland asked respondents from a Sub-Saharan African background about their experiences of police stops. The Country Data for Ireland, available via the FRA Data Explorer, shows that, 5% of the of the sample of 425 immigrants and descendants of immigrants from Sub-Saharan Africa living in Ireland stated that they believed they had been stopped by An Garda Síochána because of their ethnic or immigrant background in the five years prior to the survey. 28% of those who had been stopped believed that the last time was because of their ethnic or immigrant background. of all those who had been stopped by An Garda Síochána in that period. 15% of those who had been stopped said that the last time this happened, the police were not respectful when dealing with them (FRA 2017). In the EU Fundamental Rights Agency Roma and Traveller in Six Countries survey, 14% of the sample of 518 Travellers believed they had been stopped by An Garda Síochána because of their ethnicity in the 12 months prior to the survey. This represented 58% of all those stopped by police in the last 12 months (FRA 2020, p.38).

In its 2018 Report to the United Nations Committee on the Elimination of Racial Discrimination (Department of Justice 2018), Ireland stated that An Garda Síochána has shown its capacity to address "illegal racial profiling". It later asserts that when the definition of racial profiling adopted by the Garda National Diversity and Integration Unit is considered, it is apparent that direct discrimination can never be legally justifiable. It is unclear what the legal basis for this assertion is. There is no clear statement in law as to the illegality of racial profiling; the definition has not explicitly been adopted by An Garda Síochána as a whole; and only a very small fraction of members of An Garda Síochána have been trained on racial profiling.

In 2019 Dr Sindy Joyce became the first Traveller in Ireland to receive a PhD. Her thesis, entitled, *Mincéirs Siúladh: an ethnographic study of young Travellers' experiences of racism in an Irish city*, presents 48 young (14-21 years) Travellers' accounts of moving through an Irish city in the context of culturally embedded anti-Traveller racism. While participants recount generally positive experiences with community police, Dr Joyce's thesis includes narratives from the young people which recount experiences of ethnic profiling and racism on the part of individual gardaí. The Irish Research Council/Irish Human Rights and Equality Commission funded research, *Irish Travellers Access to Justice*, seeks to build on this research and assess levels of ethnic profiling in the community more generally, and findings with respect to racial profiling will be available in Spring 2022.

The recommendations of the Coalition Against Hate Crime with respect to racial profiling should be noted, as well as the Concluding Observations of the United Nations Committee on

the Elimination of Racial Discrimination (2019) in which the Committee recommended that Ireland:

a) Introduce legislation prohibiting racial profiling;
b) Put in place an independent complaints mechanism to handle racial profiling;
c) Review, in collaboration with communities mostly affected by racial profiling, policy, practices and training of An Garda Síochána;
d) Incorporate racial profiling issues into the training curriculum of police officers;
e) Fully implement the Garda Diversity and Integration Strategy 2019-2021;
f) Collect disaggregated data on racial profiling and regularly publish it, and provide the data in its next periodic report.

Again, our IRC/IHREC funded research, *Irish Travellers' Access to Justice*, probes the profiling of Travellers in Ireland, and when the findings are available we would be happy to share these.

Data

In order to understand the experiences of minority communities as compared to the general population, we must collect data which can be disaggregated by ethnicity and racialized identity. These "ethnic identifiers" (Bracken 2015; Hannigan et al 2020) are essential in terms of gathering information regarding minorities experiences, not only with the justice system, but across all public bodies. The introduction of ethnic identifiers are, we hold, mandated by the legal duty placed upon Irish public bodies to collect equality data under the Public Sector Duty. Such identifiers are essential to equality monitoring, to identifying patterns of institutional and individual discrimination, and to developing policies to address these. An ethnic identifier has been implemented, on the basis of self-identification, for Travellers in the Irish Prison Service (IPRT 2019). Bracken (2014) found that probation officers in Ireland were conscious of the "potential advantages" of also introducing an ethnic identifier for Travellers, who are overrepresented in the prison system, at pre-sentencing stage also. To the best of our knowledge this has not been implemented.

In our view, ethnic identifiers should be implemented, on the basis of self-identification and inclusive of all ethnic and racialised identities, from the point of first contact with criminal justice system, but, in particular, in respect to:

1. Stops and searches
2. Arrest
3. Custody
4. Charge
5. Bail
6. Remand

7. Prosecutions
8. Convictions
9. Sentences
10. Appeals
11. Temporary and early release.

As the previously cited data on under-reporting has demonstrated, obstacles to accessing justice can begin before the point at which a member of a minority community makes contact with a criminal justice agency. Poor community relations with front line agencies, such as An Garda Síochána, can prevent people from making initial contact. Understanding minority communities' access to justice, therefore requires that we collect data on (a) attitudes towards and (b) direct experiences with criminal justice agencies.

In addition to the routine use of ethnic identifiers by public bodies, we believe that an annual national crime and victimization survey is essential. Moreover, we believe that this survey must include a diversity booster which ensures that members of minorities are included in sufficient numbers to make their experiences apparent. Currently, the annual Garda Public Attitudes Survey includes a booster sample for 16-17 year olds, but not for members of minority communities.

The Central Statistics Office included a Crime and Victimisation module in the Quarterly National Household Survey (QNHS) in October to December 2015, January to March 2010, and September to November in 2003 and 2006. In 2019, a further Crime and Victimisation survey was conducted as party of the Health and Crime Survey, conducted via the General Household Survey (GHS). The survey asked about experiences of personal, household, vehicle and farm crime. Four types of personal crime were addressed - theft with violence, theft without violence, physical assault and fraud against the individual. Although the survey data and findings are important in their own right, no questions addressed experiences of hate crime or crimes with discriminatory motivations and there was no diversity booster. We assert that a regular, dedicated crime and victimization survey, with a diversity booster sample, which also includes questions about hate crime, is warranted. We further assert that this data, collected directly from victims of crime including those who have not reported their experiences to the police, will be necessary to the successful implementation of hate crime legislation.

In addition, a regular attitudinal survey measuring levels of social distance and prejudice would be instructive in monitoring the effects of hate crime legislation and other measures on levels of prejudice in the general population. These data would also inform the prioritisation and content of educative, social and community actions which seek to promote inclusion. *Public Attitudes to Hate Crime,* a representative survey of public attitudes to hate

crime and measures to address hate crime, conducted by Jennifer Schweppe, Amanda Haynes and Ross Macmillan in 2021, provides some recent insights into levels of social distance and their relationship to support for hate crime measures. We would be happy to share these with the Committee.

In summary, we believe that independent research has a role to play in understanding minority communities' access to justice. However, standardized, routine and transparent data gathering and publication by public bodies is essential to monitoring and countering the effects of racism and racial discrimination in the criminal justice system. As importantly, the data that is gathered must be published routinely as national statistics and made available to independent researchers for additional analysis and scrutiny. It should be used to inform measures to address inequalities in access to justice on the basis of racialized and ethnic identity and the effectiveness of these measures should be monitored by tracking changes in the data over time. In this, we echo and extend the recommendations of the 2019 submission of the Irish Penal Reform Trust (IPRT 2019) to the IPRT Submission to the Joint Committee on Key Issues affecting the Traveller Community.

It should be noted that the points made here with respect to ethnic identifiers can be extended to other minority identities. The collection of similar data on sexual, disability, religious, gender and other minorities would allow for the minority of equality on those grounds and for attention to the intersectional experiences of members of ethnic minorities.

Measuring Prejudice

To be effective in addressing racist attitudes in society, it is crucially important that we understand levels of prejudice on the part of the general population. In April 2021, in *Public Attitudes to Hate Crime*, we measured social distance by asking respondents how comfortable they would be having someone from a range of minority communities as a neighbour on a scale of 0 to 10, where 0 was totally uncomfortable and 10 was totally comfortable. Of a nationally representative sample, almost 20% of respondents stated that they would be totally uncomfortable living next door to a member of the Traveller community. This was considerably higher than for people of a different skin colour or religion. These data demonstrate, yet again, the particular virulence of anti-Traveller racism in Ireland, a persistent pattern of prejudice that has previously been evidenced by research, including the Citizen Traveller Survey (2000), Amnesty International (2001) and the work of Micheál MacGréil (1977, 1996, 2011).

There is no reason to think that those working in criminal justice institutions are inherently more or any less prejudiced than members of the general population as measured in our survey. However, where individuals are tasked with protecting communities, we must ensure that engrained prejudice does not impact on policing or the administration of justice.

While our attitudinal survey was carried out with members of the general population, the findings of the research carried out by David McInerney show that similar views with respect to Travellers are reflected among those working in An Garda Síochána (Gallagher 2020). Indeed, his research shows that rather than prejudicial attitudes being addressed through working as a garda, "negative attitudes towards [Travellers] increased after joining the force" (Gallagher 2020).

Our research, and that of McInerney, show that the type of interventions which were made following the Macpherson report in British policing are required in this jurisdiction. We hold that this training should be carried out, not only within An Garda Síochána, but also across all criminal justice institutions. This foundational training must be designed and delivered in association with minority communities, rolled out across the force as a whole, and reinforced through continuing professional development. In the absence of such training, the prejudicial attitudes displayed in our research will continue to impact the experiences of minority communities when engaging with criminal justice institutions. McInerney's research demonstrates the warrant for regular cultural audits within criminal justice institutions in order to measure the effectiveness of training in addressing prejudicial attitudes. Unless this fundamental issue is properly addressed, no other procedural or substantive measures will significantly overcome barriers to accessing justice. Indeed, without this training, we believe that it will be very difficult to fully implement any other criminal justice initiatives taken to address racism.

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FACEBOOK

Consultation response to 'Towards a National Action Plan Against Racism for Ireland'

National Anti-Racism Committee

14 July 2021

██████████████████████████████████████, Ireland
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Introduction

At Facebook we are proud that our products empower more than 3 billion people around the world to share ideas, offer support and make a difference. Our mission is focused on bringing the world closer together and we are focused on keeping our community safe as we work towards this aim.

As an employer in Ireland of 6,000 people representing over 100 different nationalities across our offices in Dublin, Meath and Cork, Facebook is acutely aware of how important it is to create an environment of tolerance and acceptance.

We are very supportive of the work of the National Anti-Racism Committee and welcome the opportunity to make a submission to the consultation on a National Action Plan Against Racism for Ireland.

Social media plays an important role in Irish society, and we know that along with the broadly positive content that is posted, shared and enjoyed on Facebook and Instagram, for some people they can be met with harmful, racist content.

Facebook has a zero-tolerance approach to racism on our platforms. We consider racism through the lens of our hate speech policies which we have developed in consultation with experts.[1]

Hate Speech Policies

We have always taken the issue of racism very seriously. We define hate speech as a direct attack against people – rather than concepts or institutions – on the basis of what we call 'protected characteristics': race, ethnicity, national origin, disability, religious affiliation, caste, sexual orientation, sex, gender identity and serious disease. We define attacks as violent or dehumanising speech, statements of inferiority, expressions of contempt, disgust or dismissal, cursing, and calls for exclusion or segregation. We also prohibit the use of harmful stereotypes, which we define as dehumanising comparisons that have historically been used to attack, intimidate, or exclude specific groups, and that are often linked with offline violence.

While we have clear rules against hate speech, unfortunately zero tolerance does not mean zero incidence. We cannot stop people from being prejudiced, or from typing abuse into their phone, but we have strengthened our rules, and continue to improve our tools, detection and enforcement.

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[1] https://www.facebook.com/communitystandards/hate_speech

FACEBOOK

We are constantly evolving our policies based on insight from experts and feedback from our users. For example, since October 2020 we prohibit any content that denies or distorts the Holocaust.[2] This policy change was informed by ongoing engagement with experts all over the world.

We recognise that people sometimes share content that includes someone else's hate speech to condemn it or raise awareness. In other cases, speech that might otherwise violate our standards can be used self-referentially or in an empowering way. Our policies are designed to allow room for these types of speech, but we require people to clearly indicate their intent. If intention is unclear, we may remove content.

Alongside our policies, we have built AI technology to help us find and remove harmful content quickly, and in most cases before anyone sees it. Some content – emojis, for example – needs context to understand whether or not it violates our policies, which is why we also have a team of over 15,000 people around the world dedicated to reviewing content that is reported by our community and flagged by our technology.

Products

In the same way that we amend and update our policies based on feedback from experts and user experiences, we are constantly making changes to our products to best serve our communities.

In response to appalling examples of racist abuse directed at sportspeople on Instagram, we announced a new feature – a Direct Message (DM) request filter. When turned on, this feature will automatically filter DM requests containing offensive words, phrases and emojis, into a hidden folder, so people never have to see them.[3]

This is similar to another feature on Instagram known as 'comment filters' which uses AI to hide comments that may be offensive, and allow people to manually add specific words, phrases or emojis they don't want people to use in comments under posts. Our comment filter will then make sure no comment containing these terms appears under their posts.

AI is also deployed effectively when it warns users that the comment they are about to post is potentially hurtful and encourages them to think again.

Enforcement and Transparency

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[2] https://about.fb.com/news/2020/10/removing-holocaust-denial-content/
[3] https://about.instagram.com/blog/announcements/introducing-new-tools-to-protect-our-community-from-abuse

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Every quarter we publish our Community Standards Enforcement Report (CSER) which provides data on the content we took action on – across both Facebook and Instagram – under various policies, including hate speech.[4]

Our latest report showed that in the period January - March 2021:
- We took action on 25.2 million pieces of content on Facebook for violating our hate speech policies.
- We took action on 6.3 million pieces of content on Instagram for violating our hate speech policies.

Of the violating content we actioned for hate speech:
- On Facebook, 96.8% was found and flagged by our AI
- On Instagram, 93.4% was found and flagged by our AI

Our goal is to minimise the impact caused by violations of our policies on people using our platforms. We measure the prevalence of violating content[5] to gauge how we are performing against that goal. In the period January - March 2021:
- 0.05 - 0.06% of views showed violating hate speech content (of every 10,000 content views, an estimate of 5 - 6 would contain hate speech)

As this is a new metric, we don't yet have the applicable data for Instagram. We will continue to expand the measurement to more areas as we confirm accuracy and meaningful data.

Facebook was among the first group of companies to become a signatory of the European Commission's Code of Conduct on countering illegal hate speech online in May 2016. The implementation of the Code of Conduct is evaluated through a regular monitoring exercise set up in collaboration with a network of organisations located in different EU countries. In the last monitoring exercise, the European Commission noted that Facebook assessed 95.7% of hate speech notifications in less than 24 hours after being reported, which was a higher assessment rate than the other companies involved.[6]

Working with Stakeholders

We have a dedicated team that engages with law enforcement on an ongoing basis, and we respond to government requests for data in accordance with applicable law and our terms of service.[7]

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[4] https://transparency.fb.com/policies/community-standards/hate-speech/#data
[5] https://about.fb.com/news/2019/05/measuring-prevalence/
[6] https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combatting-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online_en
[7] https://transparency.fb.com/data/government-data-requests/country/IE

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We value our strong relationship with INAR (Irish Network Against Racism) and seek out innovative ways to partner with them and support their invaluable work, whether that is through campaigns or conducting a workshop on 'Countering Hate Speech Online' for its members. Earlier this year, with the expert input of INAR, we launched a campaign to educate users on our hate speech policies and how to identify and report hate speech. The video appeared across newsfeeds for several weeks.[8] The campaign demonstrated the significance we place on our relationships with expert stakeholders and the capacity to form effective partnerships to tackle racism on our platforms.

We work with a range of European stakeholders, including the European Commission, via the Courage Against Hate Initiative which was brought together by Facebook for the purpose of sparking cross-sector, pan-European dialogue and action to combat hate speech and extremism. The recently launched Courage Against Hate Report is a collection of articles by European academics and practitioners who are mapping trends in hate speech and extremism, and highlights effective programmes and initiatives countering hate in Europe.[9]

For some time now, Facebook has been calling for new regulations to set high standards across the internet, including as it relates to harmful content. Facebook looks forward to continuing to engage with all relevant stakeholders in the progression of the Online Safety and Media Regulation Bill and the subsequent appointment of an Online Safety Commissioner.

We welcome reform of hate speech legislation and we will be engaging with relevant stakeholders on the Criminal Justice (Hate Crime) Bill 2021.

Conclusion

Facebook echoes the Government's words when welcoming the first meeting of the Anti-Racism Committee that the work which it is tasked with is critical to our country. As a platform and as an employer, Facebook is keen to see the progression and launch of a National Action Plan Against Racism for Ireland. We are determined to play a constructive role in this process, and we look forward to engaging with Committee members to explain our policies, products and enforcement measures.

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[8] https://www.facebook.com/facebookdublin/posts/10159151437353011
[9] https://counterspeech.fb.com/en/wp-content/uploads/sites/2/2021/07/Facebook-Courage-Against-Hate.pdf

FACEBOOK

Football Association of Ireland supplementary summary submission for the National Action Plan Against Racism.

Date: July 5th, 2021

Author: ███
███████████

This submission by the Football Association of Ireland focuses on the 3 key questions posed at the consultation event on June 8ᵗʰ, 2021. Another important context for this submission, takes account of the fact that the Associations Intercultural Football Strategic Plan was developed in the frame of the first National Action Plan Against Racism 2005 -2008. Contextually, and contemporarily racism remains by numerous measures a significant issue to deal with.

The first National Action Plan Against Racism, by engaging with sport underlined the important role that sport can have in challenging racism, promoting inclusion and respect for diversity. Subsequent state policies(Integration, Sport, Health etc) have underscored inclusion/representation reflective of a more diverse society. Though it can be argued that harmonised measures to address racism have not featured systematically in some policy areas – and in this context the National Action Plan Against Racism is welcomed.

The Intercultural Football Strategic Plan was developed as a 'whole of Association' cross departmental plan and roadmap for addressing racism which has seen policies, procedures, and programmes in place to address racism, though a doubling of efforts and enhancement of measures is needed.

Addressing racism is multifaceted from preventative educational measures, to reporting and management methods including effective sanctions, and tied to sanctions where appropriate, the use of restorative education practice – additionally having a national 'helicopter' view of the issue and its management requires systematic monitoring of measures.

National Action Plan presents us with an opportunity to inform and compliment a national cohesive approach to the issue of racism. In doing so, this submission seeks to expand on the 3 questions posed by the consultation and provide a clear view as to how the National Action Plan Against Racism collaborating with sport can impact and enhance a sporting landscape in the Republic of Ireland that challenges racism in and through sport.

Ultimately protecting the human dignity of participants and by extension the integrity of sport itself, should involve robustness in assessing, addressing, and routinely reporting on how the sporting landscape systemically and transparently deals with racism and discrimination in the frame of a unified civil society approach to the issue.

How to deal with racism and discrimination raises some fundamental questions such as what equality and human rights framework/infrastructure needs to be in place within sport to protect human dignity & effectively deal with racism, for example, clear horizontal and vertical governance structures, clear reporting and management processes and protocols. Sport may have to via expert partnerships, capacity build in areas where it lacks competencies.

3 core questions were considered in the consultation meeting on June 8ᵗʰ on the thematic area of **Sport & Cultural Inclusion,** these questions were namely**:**

1. What can be done to raise awareness of racism in sport?

2. What can be done to address racism in sport?

3. What can be done to raise awareness of and address racism in civil society?

The submission now addresses each in turn.

1. <u>What can be done to raise awareness of racism in sport?</u>

'If I had 60 mins to solve a problem, I would spend 55 mins defining (understanding) the problem and 5 mins solving it':

- Ensuring we know and understand the issue well – this means having a **systemic evidence base on the issue in sport,** with qualitative and quantitative data on the impact, prevalence, manifestations, and management (e.g., on field management and off field disciplinary processes including sanctions and education). This should be at all levels of Sport, and this should remain an important core strategic goal.

- The **use of the high profile of sports stars** in our case footballers, can help to resonate anti-racism and diversity messages (e.g., show racism the red card, respect diversity, equalgame challenging & reporting racism/discrimination etc). Publicize examples and strategies methods for dealing with racism at the individual and organisation level.

- Have in place a national observatory racism/discrimination & sport - sporting bodies feeding into this.

2. <u>What can be done to address racism in sport?</u>

Solving the problem:

- Aligned and flowing from a clear evidence-base are mechanisms for dealing with racism and discrimination at all levels of sport. Ensuring that **systemic whole of sport anti-racism/human right and equality frameworks/infrastructure**(e.g., organisation structures, policies, instruments, and processes.) are in place for sport with clear and **robust governance oversight,** harmonised **management, monitoring and reporting, prioritised.**

- Commitments to dealing with racism and discrimination by sport cannot operate in isolation of state obligations – these commitments must align and be informed by state policies, activities and crucially legislation in the area(for example equality and human rights - **IHREC Act, other equality acts** and Hate speech - **Hate speech legislation in train etc**).

- **Multi -annual state** funding to support the actions of sport and build capacity (especially human resources) for the work. This should be based on a strategic action plan **with 5% of funding allocated towards M&E**.

- **Collaborative approaches** so that sport does not work alone, especially where the specific competencies/expertise of sport are not fully in place or its capacity to deal effectively with human rights and equality issues is being developed. In this case, collaborative partnerships drawing on the expertise of expert organisations in the state, for example IHREC and others as relevant would be advisable. Have an anti-racism champion in each club and from the national association. FAI join https://inar.ie/

- Frequency of contact/interaction are evidenced as factors that can reduce negative attitudes and enhance more positive attitudes to diversity (Attitudes to Diversity in Ireland 2018 study add [click to view study](#)) – **policies and programmes** that promote positive interaction using sport can therefore arguably contribute towards fostering better social cohesion and

reduced racism as a defined outcome – a cautionary caveat, is that the right programmes and the right conditions must be in place to avoid the reverse outcome.

- The IHREC already set out some guiding principles that can inform this process of building good governance with regards to racism and discrimination (human rights and equality), namely, to **Assess, Address and Report (A,A,R)** and we have adopted these as part of our ongoing thinking, that is to:

i. **Assess** racism & discrimination (case reviews, systemic annual audits, monitoring of protocols, policies, and procedures etc)

ii. **Address**, based on robust and systemic assessment, putting in place measures to address racism (at all levels and with relevant expert partnerships, where needed)

iii. **Report**, transparently on racism and the impact of measures to tackle the issue (quarterly, biannually, annually).

3. <u>What can be done to raise awareness of and address racism in civil society?</u>

- **Sport using its profile** to convey key messages (social marketing if you will) and complimenting national PR and awareness campaigns.

- Operational collaborative partnerships with relevant NGO's/state actors(e.g., around education for example)

- Hold an anti-racism national Sporting Day.

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Overall, the review looked at policies, rules, procedures, and protocols designed to protect the human dignity of participants as this related to racism and discrimination, and the integrity of the game itself.

As part of the review process, we used the A, A, R guidance referred to above as a guiding principle. The review took account of various FAI policies and protocols:

1. FAI Rule/Regulation 15 Racism and Discrimination

2. FAI Rule 35 Anti-discrimination policy for football

3. FAI Referees protocols/guidelines

4. FAI Social media policy

5. FAI protocols for referees managing racism

6. FAI code of best practice for administrators

Recommendations fell into two categories namely racism and discrimination manifested on social media, and racism and discrimination generally manifested. Provided here now in the tables below are edited extracts of some of the most relevant recommendations which may seek to aid the discussion around the development of the National Action Plan Against Racism (please note that these extracts have been edited to consider what might be done in sport in general).

Recommendations: racism and discrimination	Key Supplementary notes
1. **Rules/regulations** clearly state that any party found to be guilty of racism/discrimination manifested on social media will also be subject to sanction. 2. **Rules/regulations** to have minimum 10 match sanctions and range of sporting sanctions available to disciplinary bodies(suspension, point deduction, relegations).	Consider restorative justice options as part of sanctions/written decisions.
3. **Rule/policy** stating that referees' reports referencing racism should be brought to the attention of the responsible party at the affiliate and national governing body level and noted at the following committee or board meeting. 4. **Develop electronic reporting process & apply** a new rule to ensure mandatory reporting on cases managed by divisional, regional, and local disciplinary bodies to the NGB	Rules covering reporting provide for systemic oversight and a clear evidence base on racism and discrimination case management (nature of cases, prevalence, and outcomes).
5. **Ensure**, mission statement include clear goals regarding equality, anti-racism, and discrimination.	Overall mission aligns with obligations regarding racism and discrimination/human rights & equality
6. **Develop** and fully implement education and training strategy for everyone	All staff and affiliates.
7. **Establish** voluntary equality officers in leagues and clubs.	Develop national network for equality officers with appropriate training.
8. **Establish** voluntary special advisory/disciplinary panels.	Develop national network for disciplinary panels with appropriate training.
9. **Ensure** quarterly and annual audit of cases, case management and reports to include grassroots, national leagues and international.	Systemic oversight, compliance, and governance.
10. **Ensure** racism and discrimination to be a standing item at board meetings and reported on at AGMs.	Systemic oversight, compliance, and governance.
11. **Establish** national equality, diversity & integrity committee/steering group.	Systemic oversight, compliance, and governance
12. **Ensure** adequate PR and awareness (high profile ambassadors)	Part of overall annual communication planning
13. **FAI to develop** a 3-year strategic plan which will constitute what is contained here in these recommendations	

Recommendations: social media	Key Supplementary notes	
1. **Ensure** social media policy taking account of Racism and Discrimination manifested by online hate speech	Mapped and aligned with statutory equality & other legislative obligation (e.g., 9 grounds/protected characteristics, Hate Speech legislation) and football/sports legislation	
2. **Ensure** policies, protocols, and procedures have clear direct wording and language - ensure clarity on what is unacceptable behaviour and the course of action for online hate speech/abuse.	Clear definition of breaches. Duties, social, legal, and personal need to be clearly defined and stated.	
3. **In place** robust and comprehensive reporting, complaints management/support & redress mechanisms in place with these clearly stated and communicated (PR & Awareness).	Clear process of management and redress.	
4. **Consult** and liaise with external specialists/experts in the area & consider an expert group that could assist in cases where further guidance is required.	Effective collaboration with expert agencies, bodies, organisations to bridge any knowledge gaps.	
5. **Develop and implement** education & training strategy for everyone, grassroots – international - staff to board.	Whole of association.	
6. **Ensure** clear governance and oversight structures for hate speech and discrimination in place grassroots up. 7. **Ensure governance** include a monthly/ quarterly standing item at NGB board meetings, same for affiliates with progress reported annually at AGM's. These procedures will ensure high level board awareness of the number of incidents & strategic board actions informed by this.	Systemic governance - with vertical governance in the form of **cross departmental internal monitoring or steering group** -reporting to a **committee or subcommittee** addressing equality, diversity, and integrity and **Committee reporting to board.**	
8. **Ensure** dedicated staff with responsibilities assigned. Each affiliate should have a member to whom such responsibilities are also assigned.	Responsibilities assigned such as organisational contact point, monitoring, review/audit including annual review report).	

END