

IRELAND

Fourth Periodic Report under the International Covenant on Economic, Social and Cultural Rights

First Draft

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Article 1- Self-Determination

1. There have been no developments relating to this article of the Covenant since Ireland's last report (E/C.12/IRL/3).

Article 2- Progressive Realisation of Rights

A. Persons with Disabilities

2. Responses to the recommendations in paragraph 13 of the concluding observations (E/C.12/IRL/CO/3).

3. The UN Convention on the Rights of Persons with Disabilities was ratified by Ireland in 2018. At the end of 2018 there were less than 2,200 people remaining in congregated settings, down from 2,500 in 2016.

4. All designated centres for people with disabilities are registered with the Health Information and Quality Authority (HIQA), indicating that they have met the mandatory standards set by the regulator, which aim to safeguard and support the delivery of person-centred care to vulnerable people of any age who are receiving residential care services and to ensure that their health, well-being and quality of life is promoted and protected.

B. Tax and Expenditure

5. Response to the recommendations in paragraph 11(a) and (d) of the concluding observations (E/C.12/IRL/CO/3).

6. The measures in place to assess the economic and social impacts of tax and/or expenditure policy changes are detailed in paragraphs 182 – 188 of the Common Core Document.

7. An economic adjustment programme between the Irish authorities and the joint European Commission/ European Central Bank (ECB)/ IMF mission team, known as the Troika, was agreed in 2010, with assistance being subject to conditionality. The fiscal consolidation under this conditionality was undertaken in a 2 to 1 ratio of expenditure to taxation. The consolidation was implemented across most components of expenditure while, on the revenue side of the fiscal accounts, the approach focused, for the most part, on base broadening rather than rate increases. A range of alterations to the tax regime were made from 2009 to 2014 in order to correct the narrowing of the income tax base which had

occurred in the lead up to 2009, and to increase the tax base at both the bottom and top of the income distribution. By 2019, the broadening of the tax base reduced those exempt from income tax to 35 %, and increased those paying the higher rate to 21 %.

8. The European Commission undertook an ex-post evaluation on Ireland 2010-2013. The analysis found that the burden of adjustment was quite widely shared across Irish society and Ireland's social safety net continued to function effectively. It also found that distributional considerations were an intrinsic part of the programme discussions, and the distributional impact of austerity measures were periodically addressed in the programme reviews.¹

9. Ireland's fiscal policy since exiting the Troika programme in 2013, and from the EU's excessive deficit procedure in 2015, has reflected the need to respect the obligations of EU membership, notably the fiscal rules under the Stability and Growth Pact. Notwithstanding this requirement, overall public expenditure has increased by an annual average of 3.25 % since 2015, with a significant portion of this going to the areas of Health and Housing.

10. The recovery from the crisis has seen a significant increase in employment with a corresponding reduction in unemployment which is now approaching levels generally considered to be close to full employment. In addition, the impact of the crisis era revenue raising measures on the lower paid have been mitigated to some extent.

11. Since 2015 Government policy has focused on reductions to income tax targeted at low to middle income earners. In relation to the Universal Social Charge (USC), the entry threshold below which no liability occurs has been raised by approximately €1,000 since 2015, and income received through social welfare payments continues to be exempt. USC rates have been reduced for the low and middle income brackets, while increasing by 1 % in the top income bracket. The income ceiling for the second USC rate band has also increased from €17,576 to €19,874, in conjunction with increases in the national minimum wage.

12. Programme for a Partnership Government (2016) committed to develop the process of budget and policy proofing as a means of advancing equality, reducing poverty and strengthening economic and social rights.

¹ EU Commission, 'Ex-post evaluation of the economic adjustment programme for Ireland (2010-2013)' Institutional Papers 4. July 2015. Brussels.

13. The Department of Finance regularly conducts analysis of the distributional impacts of proposed tax and expenditure changes using the Economic and Social Research Institute (ESRI) Simulating Welfare and Income Tax Changes (SWITCH) micro-simulation model. This informs a distributional impact assessment of the budget package that accompanies the Budget Memorandum to Government each year. This provides an evidence base on which equality issues can be integrated alongside other budgetary considerations.

C. Capital Investment in Cultural Infrastructure

14. Response to the recommendations in paragraph 11 of the concluding observations (E/C.12/IRL/CO/3)

15. Ireland has taken steps to continue to invest in culture infrastructure to facilitate on-going access to cultural and artistic institutions. From 2011-2018 over €242 million was invested in cultural infrastructure and over €86 in infrastructure to protect and promote the Irish language.

16. In February 2018 the Government launched the *National Development Plan 2018-2027* which included an allocation of €1.2 billion towards heritage, culture and the Irish language. Details of spending plans were published in *Investing in our Culture, Language and Heritage 2018-2027*, the first 10-year capital plan for the sector, which represents a step change in investment in cultural infrastructure, and an almost doubling in capital investment on the period 2008-2017.

D. Overseas Development Assistance

17. Response to the recommendations in paragraph 36 of the concluding observations (E/C.12/IRL/CO/3).

18. Information on Ireland's Overseas Development Assistance is set out in paragraphs 169 and 170 of the Common Core Document.

19. Peer reviews by the Organisation for Economic Cooperation and Development (OECD) Development Assistance Committee (DAC) have consistently stated that Ireland's development cooperation policy and programme is of the highest quality and delivered according to international best practice.

Article 3- Gender Equality

A. The Constitution and the Role of Women

20. Responses to the recommendations in paragraph 15 of the concluding observations (E/C.12/IRL/CO/3).

21. In September 2017, the Government signalled its intent to hold a referendum to delete Article 41.2 from Bunreacht na hÉireann (Constitution of Ireland). The matter was referred to the Joint Oireachtas Committee on Justice and Equality for pre-legislative scrutiny, which agreed in its December 2018 report that the current wording of Article 41.2 is inappropriate, and forwarded two alternatives to the Government's proposal. On 11 June 2019, the Government decided to establish a Citizens' Assembly to bring forward proposals to advance gender equality. The Assembly is mandated to examine, among other things, the social responsibility of care and women and men's co-responsibility for care, especially within the family. The inaugural meeting of the Assembly took place on 3 February 2020. The Assembly may make proposals including for policy, legislative or constitutional change to the Houses of the Oireachtas, after which the Government will provide a response to the recommendations.

B. National Strategy for Women and Girls 2017- 2020

22. Information on the National Strategy for Women and Girls 2017-2020 (NSWG) is set out in paragraphs 189-192 of the Common Core Document.

C. Women's Representation in Leadership and Decision-Making

23. Responses to the recommendations in paragraph 15 of the concluding observations (E/C.12/IRL/CO/3).

i. Political Representation

24. The Electoral (Amendment) (Political Funding) Act 2012 introduced gender quotas for national politics, requiring political parties to select at least 30% of candidates of each gender for national elections or else lose 50% of their State funding for the parliamentary term. There was a resultant increase in the number of female candidates running in the 2016 general election. 35 women were elected to the Dáil, an increase of 10 on the 2011 general election. The percentage of women among Dáil members rose to 22% from 15% in 2011.

25. The Irish Women’s Parliamentary Caucus was established in 2017 as a cross-party forum for past and present Irish women parliamentarians to discuss and campaign on issues affecting women. It hosted the first International Congress of Parliamentary Women’s Caucuses in September 2018, bringing together female parliamentarians

26. During the 2019 local elections, the Department of Housing, Planning and Local Government undertook projects that promoted the participation of women, which included incentivising political parties to increase the proportion of women candidates and funding not-for-profit organisations to build awareness and support women in Ireland to run for office.

27. Under the State’s Decade of Centenaries 2012-2023 initiative a ‘pop-up’ museum was developed to mark the centenary of the introduction in 1918 of voting rights for women and the right to stand in parliamentary elections.

ii. State Boards

28. Since the introduction of new guidelines for identifying candidates for appointment to positions on State Boards, the average representation of women among the membership of such boards has increased, reaching 41.5% by December 2018. Almost half of individual boards, 48.5%, meet the Government’s gender balance target of 40% for minimum representation of men and women.

29. In relation to the fourteen State boards in the culture, language and heritage sectors, representation of women has increased from 36% to 52% in the years 2011-2018. At year-end 2018, 50% of Chief Executive Officers/ Executive Directors of the State Agencies in the sector were women.

iii. Business Leadership

30. The Government launched the Better Balance for Better Business Independent Review Group in 2018. Led by businesses, it aims to improve gender balance in senior leadership in Ireland. The initial target is to have 33% female representation on boards of ISEQ (Irish Stock Exchange Quotient) 20 companies, with further targets of 25% female representation on boards for other listed companies, by the end of 2023. The second report of the Review Group, published in November 2019, noted that this target had already been exceeded. However, the report also posits work that has yet to be completed. For instance, there has been little progress by other listed companies on improving the gender balance of

their boards, where the percentage of women remains stuck at 12%, less than half the EU average of 24.6%. Further, there has been no decrease in the number of companies with all male boards.

D. Female Labour Market Participation

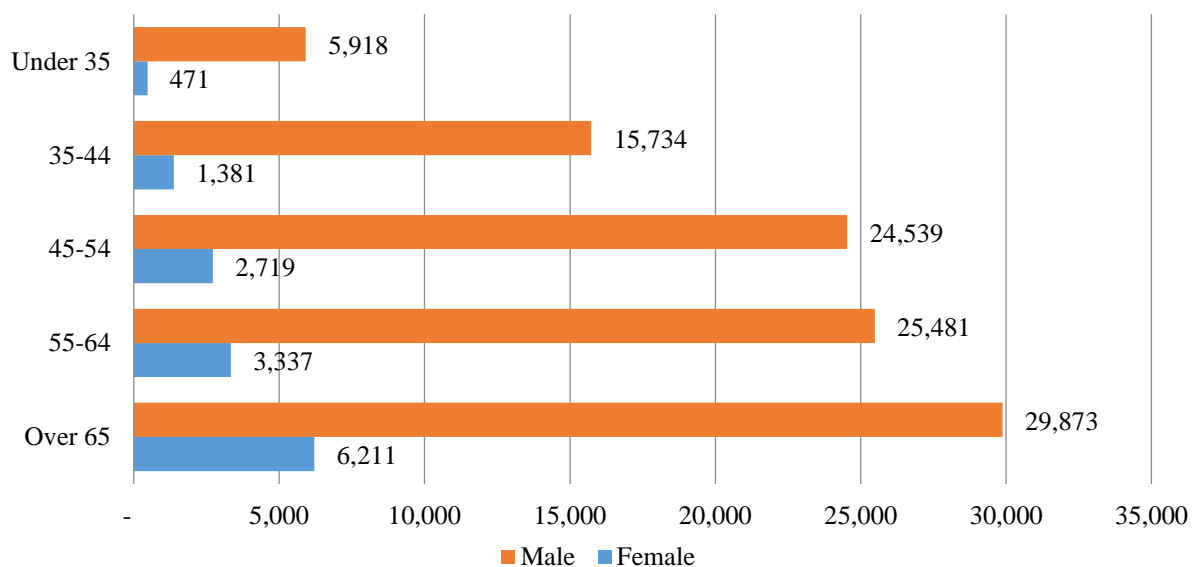
31. One of the core high-level objectives of Government early learning and care and school-age childcare funded programmes is ensuring that access to affordable, high-quality Early Learning and Care (ELC) and School-Age Childcare (SAC) is not a barrier to labour market participation, including female labour market participation.

32. Further information on these programmes is set out in paragraphs 160-171.

E. Women in Agriculture

33. The CSO Labour Force Survey (LFS) shows that in 2018 16.4% of workers in the agriculture, forestry and fishing sector were female. The trend since 2000 is increasing slightly, with the proportion rising from an average of 14.2% from 2000- 2009 to 16.2% over the period 2010- 2018.

34. Farms in receipt of Basic Payment Scheme payments by Gender, 2015:



Source: Department of Agriculture, Food and the Marine.

35. The report of the Commission for the Economic Development of Rural Areas (CEDRA) contained a recommendation that a Rural Innovation and Development Fund

should be developed to support “innovative, small scale pilot initiatives that explore the diverse range of potential identified through the CEDRA process”. At the time, national research also highlighted that female entrepreneurship rates were half that of their male counterparts.

36. To improve these gender statistics, and to encourage a stronger level of enterprise development in rural areas, the Accelerating the Creation of Rural Nascent Start-ups Programme (ACORNS) was established under the Rural Innovation and Development Fund.

37. ACORNS provides early stage rural female entrepreneurs with the knowledge, support and networking opportunities to advance the development of their businesses. Over 200 female entrepreneurs have taken part in ACORNS in the four cycles between 2015 and 2018. Past participants have testified to the difference this programme has made both to themselves and to their businesses with increased sales, exports and job creation, in addition to the valuable connections they have made through broadening their support network.

F. Gender Equality and the Arts

i. Film

38. Screen Ireland, the national development agency for Irish filmmaking and the Irish film, television and animation industry, is committed to addressing the issue of gender inequality in Irish filmmaking and screen content. In December 2015 Screen Ireland published a Six Point Plan on Gender Equality and continues to implement the initiatives in the plan to facilitate a more inclusive diversity of creative talent and screen content across the spectrum of Irish society and aiming to achieve a target of 50/50 gender parity in creative talent working in screen content.

39. Considerable progress has been made in this regard. In 2017 70% of Screen Ireland short films funded under the Screen Ireland Short Stories and Frameworks schemes had female directors attached. Screen Ireland has also introduced a number of initiatives specifically targeted at incentivising female writers, directors and producers, in order to directly increase female representation in the Irish film, television and animation industries.

ii. Theatre Sector

40. In 2017, in an initiative to protect women working in the theatre sector and allow their voices to be heard, the Irish Theatre Institute designed and delivered an event bringing

workers in the sector together to voice their views and to consider a respectful way forward. This led to the adoption of a new Code of Behaviour for the Irish theatre sector, aiming to eliminate the abuse of power in Irish theatre and to safeguard those who work in the sector.

G. Gender Equality in Ireland's International Development Cooperation Programme

41. *A Better World* recognises that gender equality is fundamental for transformation and reaching the furthest behind first, and commits to a priority focus on women and girls in all our development cooperation partnerships and interventions. This commitment is informed by global legal and policy frameworks on gender equality.

42. We support partners across governments, civil society and multilateral organisations to expand women's and girls' choices and capabilities, give women equal voice, and end violence against women and girls. In our support for humanitarian action, through our programming and advocacy efforts, Ireland has prioritised the protection of women and girls in emergencies and the prevention of, and response to, gender based violence. Support for civil society organisations, including women's rights organisations and women human rights defenders, is a particular feature of Ireland's international development.

43. Ireland has also been a consistent and firm voice in supporting the implementation of the United Nations Security Council Resolution 1325 on Women, Peace and Security. Our international development programme supports the critical role of women and girls in conflict prevention and resolution, peace-building and post-conflict reconstruction and governance.

Article 4- Limitation on Rights

44. There have been no developments relating to this article of the Covenant since Ireland's last report (E/C.12/IRL/3).

Article 5- No Restriction on Rights

45. There have been no developments relating to this article of the Covenant since Ireland's last report (E/C.12/IRL/3).

Article 6: Right to Work

A. Reducing Unemployment

i. Availability of Disaggregated Data

46. Response to the recommendations in paragraph 16 of the concluding observations. (E/C.12/IRL/CO/3)

47. An independent study to map data for monitoring migrant integration in Ireland was conducted by Ireland's National Economic and Social Research Institute under the framework of the *Migrant Integration Strategy 2017- 2020*. Its purpose was to outline the main administrative and survey sources of data for monitoring migrant integration and identify potential use, as well as some key gaps and challenges going forward. The Government is taking steps to address gaps and challenges identified, including measuring socio-economic integration.

ii. Jobseekers

48. The Department of Employment Affairs and Social Protection's (DEASP) activation programme aims to support all registered jobseekers regardless of nationality and/or ethnicity to advance their job-seeking efforts via appropriate supports, education and training, financial incentives as appropriate, with the ultimate aim of securing sustainable employment.

49. Jobseeker activation engagement patterns are defined and operate under the Pathways to Work and the Youth Guarantee programmes. Access to tailored supports is provided to all eligible unemployed jobseekers under these programmes, and each personal progression plan reflects a tailored support process, client-specific milestones and goals.

50. Jobseekers are not categorised into particular groups nor are they asked to disclose if, for example, they are from the Traveller or Roma communities. However, since July 2015 a total of 5,118 self-declared individuals from the Traveller community have engaged with DEASP's activation service with 3,399 of those referred for further supports in order to advance their job seeking efforts.

51. The DEASP Intreo Service allows jobseekers to meet with case officers with a view to agreeing a suitable personal progression plan in order to access the full range of employment supports available. In addition, specific services are designed to help jobseekers with disabilities. The Employability Service is delivered under a contract arrangement with

24 companies who provide support and assistance along with the Intreo Service. The Ability Programme is a pre-activation programme for young people with disabilities, aiming to bring them closer to the labour market through engagement in training and personal development activities which may be followed by incremental exposure to work. Additionally, the Willing Able Mentoring (WAM) Programme, and the Get AHEAD Programme exist to assist graduates with disabilities.

iii. Traveller and Roma Persons

52. The National Traveller and Roma Inclusion Strategy (NTRIS) 2017- 2021 contains three actions concerned with the provision of training and education as a pathway to employment.

53. Included in these actions is a commitment to address racism, identity-based bullying and cultural awareness through a suite of supports including funded support services to teachers at Primary and post-Primary levels such as the recently revised Stay Safe Programme and the Continuing Professional Development (CPD).

54. NTRIS further commits that there should be improved opportunities for Traveller and Roma men to engage in culturally appropriate apprenticeships, training and lifelong learning, and that training and education will continue to be provided to support Traveller men and women to develop literacy, numeracy and “soft” skills.

iv. International Protection Seeking Applicants (IPSAs)

55. Eligible international protection applicants who are awaiting a first instance determination on their status for 9 months or more, and where this delay cannot be attributable to the applicant, can, since 1 July 2018, apply for permission to access the labour market. DEASP’s Employment Support Services Permission recipients from Immigration Service Delivery (formerly the Irish Naturalisation and Immigration Service), operating on behalf of the Minister for Justice and Equality are allowed to take up employment or self-employment without recourse to employment permits. This move resulted in the granting of 3,528 labour market access permissions and a total of 558 IPSAs who have availed of employment support services via the Intreo Centre nationwide network by year end 2019.²

² Intreo Centre is a single point of contact for all employment and income supports. Designed to provide a more streamlined approach, Intreo offers practical, tailored employment services and supports for jobseekers and employers alike.

Further information on the International Protection System is set out in paragraphs 242- 258 of the Common Core Document

v. Persons with Disabilities

56. General information on provision for protecting the rights of persons with disabilities, including the *National Disability Inclusion Strategy 2017-2021*, is set out in paragraphs 213 to 223 of the Common Core Document.

57. According to the most recent census (2016), the number of persons with disabilities of working age (defined as age 15 years and up) in employment was 130,067. This represents 6.5% of all people at work or 22.3% of the total working age population of persons with disabilities (584,045).

58. Ireland is committed to increasing employment rates for persons with disabilities and has put in place national strategies, with associated implementation and action plans, to deliver on this aim.

Comprehensive Employment Strategy (CES) 2015-2024

59. The CES is a cross-government strategy to address the barriers and challenges that impact on the employment of persons with disabilities. It aims to ensure that people with disabilities who are able to, and want to, work are supported and enabled to do so, and seeks to address the under-representation of people with disabilities in the labour force. In tandem with this, it seeks to ensure that there will be joined-up services and supports at local levels to support individuals on their journey into and in employment.

60. CES's six strategy priorities are to build skills, capacity and independence; provide bridges and supports into work; make work pay; promote job retention and re-entry into work; provide coordinated and seamless support; and engage employers. The initial priorities of the Strategy have been to ensure that barriers to employment are broken down systematically and that necessary supports are put in place across the range of public services that affect the lives of people with disabilities.

Supports to persons with disabilities entering/ re-entering the workplace

61. As part of Ireland's Public Employment Service (PES), a wide range of services and programmes are in place which have been specifically designed to assist persons with disabilities to enter, re-enter or sustain employment.

62. Persons in receipt of Disability Allowance or Blind Pension may take up employment or self-employment, while the first €120 of weekly earnings is disregarded in the means test for the payment, with 50% of the next €230 of income being disregarded for testing purposes. Further, Partial Capability Benefit (PCB) was introduced in 2012 for persons who are in receipt of long term social insurance invalidity/illness/disability income support payments who have some capacity for work.

63. The Make Work Pay Report (2017) published on foot of a commitment in the CES, sought to better identify how persons with disabilities could pursue their employment ambitions and take up work where capacity exists. A number of recommendations have already been implemented, including a fast-track return to disability allowance protocol; return to illness benefit or invalidity pension for those on PCB, retention of the Free Travel Pass for a period of five years for those with long-term disabilities who take up employment; a “Benefits of Work” calculator for persons with disabilities on-line to help people calculate the net benefit of entering or returning to work; and removal from legislation of the requirement that work be of a ‘rehabilitative’ nature where a person wishes to undertake employment.

64. In addition, supports exist to assist and incentivise employers in the private sector to enable jobseekers with disabilities to access employment. These include specific schemes such as the Wage Subsidy Scheme and Disability Awareness Training Support Scheme, and general schemes such as the Community Employment Programme and Youth Employment Support Scheme.

vi. Youth Unemployment

65. A number of measures are in place to assist young unemployed people into employment or training. In 2013 the EU adopted a Council Recommendation to Member States on a Youth Guarantee. Under this process, case officers engage with unemployed young people to prepare and implement personal progression plans for employment.

66. Where young people do not find work quickly, additional supports are offered through places on employment and training schemes, which are closely aligned to the needs of the labour market. The Youth Employment Support Scheme (YESS), launched in 2018, is a work experience scheme targeted exclusively at young jobseekers aged 18-24 years facing barriers to employment. YESS aims to provide young jobseekers with the opportunity to learn basic work and social skills in a supportive environment.

67. These policies have been effective in reducing youth unemployment, which fell from a peak of 29.7% in January 2011 to 12.8% in December 2018. This compares favourably to the EU figure of 14.6% in December 2018.

B. Unfair Dismissal

68. The Unfair Dismissals Acts 1977- 2007 provide protection for employees from being unfairly dismissed from their jobs by laying down criteria on which the fairness or otherwise of dismissals can be judged, and by providing an adjudication system and redress for an employee whose dismissal has been found to be unjustified.

69. Under the Acts, every dismissal of an employee will be presumed to have been unfair unless the employer can show substantial grounds justifying the dismissal. If an employee considers that he or she has been unfairly dismissed, he or she may apply to the Workplace Relations Commission (WRC) for a hearing by a WRC Adjudication Officer of a case under the Acts. A WRC Adjudication Officer's decision may be appealed by either party to the Labour Court.

70. Further information on the Workplace Relations Commission is set out in paragraphs 105 – 106 of the Common Core Document.

C. Rural Unemployment

71. The Department of Rural Community Development's Social Inclusion and Community Activation Programme (SICAP), undertakes to help disadvantaged and hardest to reach persons move closer to the labour market. The programme helps these individuals to more readily avail of mainstream Government services, and helps build the capacity of groups working with those individuals. Since the start of 2018, over 2,100 disadvantaged people have been helped to get jobs, with over 4,000 setting up their own business.

Article 7: Right to Just and Favourable Conditions of Work

A. Minimum Wage Level

72. Responses to the recommendations in paragraph 17 of the concluding observations (E/C.12/IRL/CO/3).

73. The Low Pay Commission (LPC), an independent body established on a statutory basis in 2015, makes annual recommendations to the Government on the national minimum

hourly rate of pay, ensuring that all decisions are evidence based, fair and sustainable, and do not create significant adverse consequences for employment or competitiveness. The Commission may also report on matters relating to the national minimum wage at the request of the Minister for Employment Affairs and Social Protection. Since its establishment, the Commission has made five recommendations to increase the rate of the national minimum wage, all of which have been accepted by Government.

74. The National Minimum Wage Acts 2000-2015 provide that employees have a legal entitlement to be paid for all working hours at an hourly rate of pay that, on average, is not less than the prescribed minimum hourly rate of pay set down in the legislation.

75. Age based rates apply to the National Minimum Wage. Employees under 18 are entitled to receive a minimum of 70% of the full rate, employees aged 18 receive 80% and employees aged 19 receive 90%. Employees aged 20 and over receive the full rate which in 2018 stood at €9.55, and as of February 2020 stood at €10.10.

76. Under the Employment (Miscellaneous Provisions) Act 2018, rates for employees under 18 and those over 18 have been simplified and will be solely based on age. The National Minimum Wage otherwise applies to all employees, including full-time, part-time, temporary and casual employees, with certain exceptions as set out in the legislation.

B. Workers on Zero-Hour Contracts

77. The Employment (Miscellaneous Provisions) Act 2018, which commenced 4 March 2019, amended Section 18 of the Organisation of Working Time Act 1997 (OWTA) to prohibit zero hour contracts except where the work is of a casual nature; the work is done in emergency circumstances; or the work is short-term relief to cover routine absences for the employer.

78. The 2018 Act also amended Section 18 of the OWTA to provide that the existing compensation payment will be subject to a new minimum payment of three times the national minimum hourly rate of pay or three times the minimum hourly rate of pay set out in an Employment Regulation Order (if one exists and for as long as it remains in force). This new minimum payment will be payable on each occasion an employee, to whom section 18 applies, is called in to work but does not receive the expected hours of work.

79. The 2018 Act introduced a new entitlement for employees whose contract of employment does not reflect the reality of the hours they habitually work to request to be

placed in a band of hours that better reflects the hours they have worked over a 12 month reference period. Section 18 does not apply where a banded hour arrangement has been agreed between an employer and their employees through collective bargaining, recognising that in some sectors banded hours arrangements agreed between employers and employees have been working well.

C. Health and Safety at Work

80. The Safety, Health and Welfare at Work Acts 2005- 2014 place responsibility for occupational health and safety on all stakeholders, and develop the role of employers, employees and Government in framing and implementing occupational safety and health in Ireland. The Health and Safety Authority is the national statutory body responsible for regulating occupational safety and health.

81. Further information on the Health and Safety Authority is set out in paragraph 109 of the Common Core Document.

D. Leave

82. An entitlement to annual leave or holidays from work is set out in the OWTA and in a contract of employment. Legislation gives various entitlements to leave from work. Periods of leave provided for by legislation are the minimum entitlements only, and more favourable entitlements may be agreed between an employer and employee.

83. Entitlement to leave on public holidays is set out in the OWTA. Most employees are entitled to paid leave on public holidays. In general, an employee has no right under employment law to be paid while on sick leave. Consequently, it is at the discretion of the employer to decide their own policy on sick pay and sick leave, subject to the employee's contract or terms of employment. An employee may apply for Illness Benefit where the employee has enough social insurance contributions.

84. The Parental Leave Acts 1998 and 2006 give an employee a limited right to leave from work where a family crisis occurs, where, for urgent family reasons, the immediate presence of the employee is indispensable owing to an injury or illness of a close family member. The maximum amount of leave is 3 days in any 12-month period or 5 days in a 36-month period, with an entitlement to be paid whilst on leave. Other compassionate leave not covered by force majeure leave will depend on the employment contract, custom and practice within the workplace, or the employer's discretion.

i. Parental Leave

85. Under Irish legislation, maternity benefit of 26 weeks is payable to mothers on maternity leave, at a minimum rate of €245 per week. A period of 16 weeks unpaid maternity leave is also provided for.

86. From 1 October 2017 the Irish Government increased maternity leave and maternity benefit where babies are born prematurely. Under the new arrangements, a mother will be entitled to an additional period of maternity leave and benefit, where she meets the ordinary qualifying criteria for the schemes. The Paternity Leave and Benefit Act 2016 created an entitlement to two weeks' paternity leave from employment in relation to children born or adopted on or after 1 September 2016. The commencement of the Act also created a new associated social welfare scheme of paternity benefit, paid at the same rate as maternity benefit.

87. The Parent's Leave and Benefit Act 2019 created a new entitlement to two week's parental leave from employment in respect of children born or adopted on or after the 1st November 2019. The commencement of the Act also created a new associated social welfare scheme of parents benefit, paid at the same rate as maternity benefit. Parent's leave is not transferrable between parents, recognising the importance of equality between men and women with regard to the labour market opportunities and the equal importance of men and fathers in bringing up their children.

Article 8: The Right to Form and Join Trade Unions

A. Joining a Trade Union

88. The right of free association and the right to join a union are enshrined as fundamental rights in Article 46.1.iii of the Irish Constitution. No substantive or formal conditions must be fulfilled to join a trade union of an individual's choice, and people are free to join the union of their choice, as well as leave a union. The Unfair Dismissals Act 1974 expressly prohibits dismissals relating to membership of a union.

B. Functioning of Trade Unions in Ireland

89. There is no legal obligation in Ireland on an employer to negotiate with a union on behalf of an employee member, unless previously agreed. Ireland has a voluntary system operating through the provision of a framework and institutions through which good

industrial relations can prosper. There is an extensive range of statutory provisions in place to provide the legislative support for a voluntary system of industrial relations. The Labour Court has been set up in a tripartite manner to adjudicate on industrial relations issues.

90. The Irish Congress of Trade Unions represents workers on the island of Ireland and at the International Labour Organisation.

C. Collective Bargaining Mechanisms

91. There has been agreement on all sides that the terms and conditions of employment of workers is best determined by the process of voluntary collective bargaining between an employer or employers' association and one or more trade unions, without the intervention of the State. In addition to the national minimum wage, there are several statutory industrial relations wage setting mechanisms.

D. Right to Strike

92. While there is no express right to strike in Ireland, workers enjoy immunity from prosecution for breaking their contract of employment if such a breach is a result of an actual or imminent trade dispute. Workers have the right to engage in peaceful picketing. The Garda Síochána (Ireland's police service) and the Defence Forces do not enjoy this immunity from prosecution/civil tort. However, it should be noted that the Garda Síochána have access to the State's industrial relations machinery for collective disputes.

Article 9: Right to Social Security

A. Universal Social Security Coverage

93. Ireland provides a comprehensive social security package that includes health care; illness benefits; maternity and paternity benefits; old-age benefits; invalidity benefits; survivors' benefits; employment injury benefits; unemployment benefits and family and child benefits. The Irish social security system is a mixed system with contributory social insurance benefits for the various contingencies and means-tested social assistance schemes for those who are not entitled to insurance benefits.

94. Child benefit is a universal payment paid in respect of all children in the State, subject to qualifying conditions. It is paid until a child's 16th birthday and continues then after until a child turns 18 provided they are in full time education.

B. Disability Allowance

95. Responses to the recommendations in paragraphs 11 and 13 of the concluding observations (E/C.12/IRL/CO/3).

96. In 2009 the personal rate of Disability Allowance was €204.30. Budgets 2010 and 2011 reduced the rates of most working age payments, including Disability Allowance, by €16.30 per week. These cuts have been gradually reversed since 2017, with budgets for 2017, 2018 and 2019 all seeing an increase in €5 per week for Disability Allowance. The 2020 allowance rate sits at €203.

C. Social Welfare Appeals Process

97. Responses to the recommendations in paragraph 20 of the concluding observations (E/C.12/IRL/CO/3).

98. The social welfare appeals process enables customers to have a decision reviewed by an independent and more senior decision maker.

99. It is a statutory requirement of the social welfare appeals process that the relevant DEASP papers and comments by or on behalf of the Deciding Officer on the grounds of appeal are sought. It can be the case that new evidence is provided with an appeal and that, as a result, the original decision may be revised by a Deciding Officer of DEASP. This was the case in 22.6% of all appeals in 2017 and 18.5% of all appeals in 2018.

100. Measures to improve the quality of decisions are ongoing and include management checks at local level and the development of guidelines and advice. DEASP provides Deciding Officers with complex case advice on the legislative criteria and advises on best practice. The Department also provides clear guidelines on all schemes including for Deciding Officers. These guidelines interpret the legislation and apply this in the form of “best practice” instructions that have been developed from experience dealing with decision review requests and appeals, including reviews of decisions made by Appeals Officers. The Department also publishes case study notes for Deciding Officers that are made available through Bulletins and Circulars and are held on the internal portal for staff. Officials of DEASP meet regularly with the Social Welfare Appeals Office to identify and resolve issues that have given rise to requests for reviews and appeals. This collaboration ensures a more consistent application of the legislation and guidelines by officers making decisions on claims, reviews and appeals.

D. Non-Contributory Social Assistance Allowances

101. The Irish social security system provides a range of means-tested social assistance payments for those who are not covered by social insurance schemes. Social assistance supports provide payments based on an income need. The means test plays a critical role in determining whether or not an income need arises as a consequence of a particular contingency, such as disability, unemployment or caring. This ensures that resources are targeted to those who need them most.

102. Rates of payment for social insurance and social assistance schemes are provided for in legislation. DEASP, as part of the yearly budgetary process, consults with stakeholders on examining ways in which social welfare rates are amended with the aim of ensuring adequacy for all recipients., including representatives from the community and voluntary sector, trade unions and business groups, among others. In addition, DEASP examines the impact of potential Budget measures on poverty rates, and a social impact assessment is carried out. This is an evidence-based methodology which estimates the likely distributive effects of changes on household income using the ESRI's SWITCH model.

103. Increases for qualified children are available on many social welfare benefits, both contributory and non-contributory. The one-parent family payment, the jobseekers transitional payment and the back to work family dividend are also available to families.

104. Further information on family supports is set out in paragraphs 158- 159.

105. The Supplementary Welfare Allowance (SWA) scheme is the safety net within the overall social welfare system. It provides assistance to eligible people in the State whose means are insufficient to meet their needs and those of their dependants. Apart from a number of excluded categories, anyone in the State who satisfies a habitual residence condition (HRC) and a means test may qualify for SWA. There may be further conditions of entitlement where appropriate, such as a requirement to register for employment.

106. The Basic SWA weekly payment may be paid to customers awaiting the outcome of a claim or an appeal for a primary Social Welfare payment. A person who is temporarily ill or disabled but does not qualify for a payment under DEASP'S illness-related schemes, subject to certain criteria, may qualify for Basic SWA.

107. Under the SWA scheme, a single Exceptional Needs Payment (ENP) may be made to help meet essential, once-off expenditure which a person could not reasonably be expected to

meet out of their weekly income. The scheme is demand led, and payments are made at the discretion of the officers administering the scheme, taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance. The HRC does not apply to ENPs.

E. Habitual Residence Condition

108. Responses to the recommendations in paragraph 21 of the concluding observations (E/C.12/IRL/CO/3).

109. Being habitually resident in the State is a requirement, amongst others, for receipt of certain social assistance payments, and also Child Benefit. It applies equally to all applicants and beneficiaries, regardless of nationality, gender or ethnic background. All of the person's circumstances are taken into consideration and there is no actual minimum period of residence in the State required. The Guidelines used by the deciding officers to determine the HRC are available online for viewing by the public.³

110. Where certain groups have particular difficulties in establishing the requirements of the HRC, DEASP will seek to provide assistance through ongoing engagement with such groups. By way of example, the Department convenes the Migrant Consultative Forum three times a year to discuss these issues with representative groups. A budget is also available to develop pre-employment support programmes for those most distant from the labour market, including Roma, Travellers, and other persons (mainly women) returning to the workforce.

111. The HRC is constantly kept under review to ensure that it is relevant and up-to-date. The case law continues to evolve as a result of Irish and EU Court rulings, and the HRC guidelines are periodically amended to reflect this.

F. The Right to Social Security in Ireland's International Development Cooperation Programme

112. In 2018 Ireland contributed over €20 million - around 3% of Overseas Development Assistance (ODA) spending to social protection, with a focus on strengthening social

³ <https://www.gov.ie/en/publication/fc9c5e-operational-guidelines-for-deciding-officers-on-the-determination-of/>

protection systems in fragile contexts, and promoting supportive policies, programmes and links to inclusive economic growth.

113. Ireland is one of the largest contributors to the International Labour Organisation's Global Flagship Programme on building social protection floors for all. Additionally, Ireland provides support for social protection policies and programmes that address gender inequality by prioritising initiatives that empower women and girls, and provide basic services to meet the needs of those most vulnerable. Ireland is also an active member of the Social Protection Interagency Co-ordination Board gender task force which champions the integration of gender in social protection, as a means of promoting transformative change towards inclusive economies.

Article 10: Protection of the Family

A. Legislative Changes

114. A referendum related to children was held in November 2012, resulting in the 31st Amendment to the Constitution. Article 42A acknowledges that all children, as a discrete group within society, enjoy inherent and identifiable rights, which the State is obliged by law to vindicate and protect.

115. Under the Child and Family Agency Act 2013, statutory responsibility for the provision of specified child and family services is vested in the Child and Family Agency, Tusla.

116. Further information on the Child and Family Agency is set out in paragraph 108 of the Common Core Document.

117. The Children First Act 2015 provides for a number of key child protection measures, and operates side-by-side with the non-statutory obligations provided for in *Children First: National Guidance for the Protection and Welfare of Children*. The guidance sets out definitions of abuse and signs for its recognition, and explains how reports of reasonable concerns of child abuse or neglect should be made by the general public and professionals. The Children First Inter-Departmental Implementation Group, which was established under the Children First Act, promotes the importance of *Children First* compliance and a consistent approach across Government.

B. National Youth Strategy 2015 - 2020

118. Supporting marginalised, disadvantaged and vulnerable young people is at the core of the National Youth Strategy. The Strategy focuses on enhancing the contribution of current and emerging policies, programmes and services to improve the national outcomes for young people aged 10-24 years.

C. Migrant and Refugee Families

i. Children

119. Responses to the recommendations in paragraphs 14, 22 and 23 of the concluding observations (E/C.12/IRL/CO/3).

120. Children in the State with their parents/guardians are in the care and custody of their parents/guardians. Tusla (the Child and Family Agency) works with parents and children through a family support response, and has guidance and a practice model in place to work with families. Tusla has a statutory obligation to receive a child into care where it is not possible for adequate care and protection to be provided for the child otherwise.

121. The Government has put a number of specific measures in place to support asylum seekers, in line with the *First 5: A Whole of Government Strategy for Babies, Young Children and their Families* (2018) strategic objective to ‘ensure that early learning and care and school-age childcare provision promotes participation, strengthens social inclusion and embraces diversity through the integration of additional supports and services for children and families with additional needs’.

122. As part of the National Childcare Scheme, the Childcare Support Act 2018 specifies five statutory bodies with which the Minister for Children and Youth Affairs may make agreements in relation to referral procedures for free or additional early learning and care and school age childcare, one of which is the Minister for Justice and Equality for refugees and asylum seekers to enable parents’ participation in education, integration and other relevant supports.

123. Further information on the National Childcare Scheme is set out in paragraph 164.

ii. Family Reunification

124. The Immigration Service Policy Document on Non-EEA Family Reunification sets out a comprehensive statement of Irish immigration policy in the area of family

reunification.⁴ Ministerial discretion applies to most decision-making in the area of family reunification, and the Policy Document provides detail on how this discretion is intended to be applied by the Minister for Justice and Equality.

125. The Policy Document sets out criteria and categories of people who may be a sponsor for the purposes of an application for family reunification. The Policy Document only applies in the area where Ministerial discretion is retained. Cases where rights of reunification are essentially automatic, once certain conditions are met, are excluded, for example where there are claims of entitlement to residence as a family member of an EU national exercising rights of free movement, and where the sponsor is a beneficiary of international protection in Ireland whose application for family reunification falls within the scope of Section 56 or 57 of the International Protection Act 2015.

126. In relation to the former, Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States is given effect in Ireland by the European Communities (Free Movement of Persons) Regulations 2015.

iii. Families and the International Protection process

127. The International Protection Act 2015 introduced a single application procedure in Ireland's protection process, meaning all elements of a person's claim for international protection, refugee status, subsidiary protection status, and permission to remain are examined and determined in one process. This constitutes the biggest reform to the protection system in Ireland in twenty years, and has replaced the previous multi-layered process.

128. Further information on the International Protection System is set out in paragraphs 242 – 258 of the Common Core Document.

129. Families and adult individuals applying for asylum are offered accommodation in the Direct Provision system. Direct Provision is administered by the International Protection Accommodation Service (IPAS) which falls under the policy remit of the Department of Justice and Equality. A senior social worker from Tusla, the Child and Family Agency, is seconded to IPAS.

⁴<http://www.inis.gov.ie/en/INIS/Family%20Reunification%20Policy%20Document.pdf/Files/Family%20Reunification%20Policy%20Document.pdf>

130. The Child Care Act 1991, as amended, applies to all children in the State. Following the introduction of mandatory reporting under *Children First*, managers of Direct Provision centres have a statutory obligation to report concerns to Tusla. Centres are required to have child safeguarding statements and practices in place.

131. Following the publication in June 2015 of the McMahon Report into the Protection Process, a set of Standards for Direct Provision was developed in consultation with stakeholders and policy makers.

132. A Daily Expenses Allowance is paid to asylum seekers who reside in the accommodation system. There have been a number of increases in the weekly payment rate of this allowance in recent years:

	Child Rate	Adult Rate
From 2000 - 2015	€9.60	€19.10
January 2016	€15.60	€19.10
August 2017	€21.60	€21.60
March 2019	€29.80	€38.80

133. Additional supports are provided to protection seekers under the ENP scheme and the Back to School Clothing and Footwear Allowance.

vii. Unaccompanied Minors

134. Tusla operates using an equity of care principle, meaning all children in the State receive the same level of and access to care. Each unaccompanied minor is allocated a social worker who acts as a de facto guardian for the child in place of the parent.

135. It is not a requirement for an unaccompanied minor to make or have made an application for international protection to access child welfare and protection services. Under the International Protection Act 2015, it is not permitted for an unaccompanied minor to be detained for reasons relating to an international protection application. Where an unaccompanied minor is referred to Tusla, they are received into the care under the Child Care Act 1991, as amended.

136. The assessment is multidisciplinary in nature and, in addition to the child protection social work component, involves a medical examination and an educational assessment. This assessment addresses, inter alia, the possibility of family reunification, a trafficking

assessment and abuse disclosure, medical screening and follow-up medical care, obtaining a Personal Public Service Number (PPSN), and commencement of asylum application.

137. The social work service also operates a reunification service whereby immigration authorities refer families or adults presenting with children in cases where parentage or guardianship is not apparent. The social work team conduct an assessment which may include DNA testing and, based on this assessment, children are either returned to the adults/families presenting or, where there are concerns around parentage or guardianship, are taken into care.

viii. Irish Refugee Protection Programme (IRPP)

138. In 2016 the Irish Parliament voted to relocate up to 200 unaccompanied minors who were previously in unofficial camps near Calais. In advance of the relocation, child protection interviews took place in France. Eligible young persons were transferred in small groups over a period of months, resulting in 40 young persons being relocated. All children relocated under this project have been received into care or reunited with family members.

139. The project involved the support and guidance of the International Protection Office, the IRPP, the French Ministry of the Interior, the International Organization for Migration, the UN Refugee Agency and many other key agencies from both the private and voluntary sector. The Minister for Children and Youth Affairs has directed that arrangements be put in place to make this capacity available for proposals to relocate unaccompanied minors from other EU states.

140. At the end of 2018, Tusla had received 51 unaccompanied children under IRPP. This number comprised 6 from Greece, 41 from Calais and 4 from Malta. In late 2018, Ireland also committed to relocating up to 36 separated children from Greece in 2019.

D. Mother and Baby Homes

141. Responses to the recommendations in paragraph 18 of the concluding observations (E/C.12/IRL/CO/3).

142. The Commission of Investigation into Mother and Baby Homes and Certain Related Matters was established by Government Order in February 2015 to provide a full account of what happened to vulnerable women and children in these Homes during the period of 1922-1998. A three person Commission, chaired by Judge Yvonne Murphy, was appointed as an effective and transparent way of examining these complex and sensitive matters. The scope

of the Commission's investigation is broad, and includes seven specific questions on practices and procedures regarding the care, welfare, entry arrangements and exit pathways for the women and children who were residents of these institutions. The Irish Government is satisfied that this independent Commission has sufficient powers and scope to examine a broad range of issues, and to make a determination on their relevance to the central issues of public concern.

143. The Commission has prepared six Interim Reports to date: July 2016; September 2016, September 2017; December 2018, April 2019, and January 2020. The first five reports have been published and the State has committed to publish the sixth report subject to further consultation with the Commission. These Interim Reports focus on the investigative process, the collation and analysis of documentation, and specific concerns around the scale of the task and the engagement with witnesses. Once the Commission's final report is published, the Irish Government will respond comprehensively to the findings and recommendations from this important and sensitive investigation.

144. One of the key reasons for the establishment of the Commission of Investigation were the revelations surrounding the burial practices in Tuam Mother and Baby Home. In March 2017 the Commission reported that it had identified a significant number of children's remains in underground chambers on the site. These chambers are believed to have formed part of the sewage treatment works at the former Home.

145. In October 2018 the Government approved the phased forensic excavation of the available site, including a phased approach to the forensic excavation and recovery of the juvenile human remains in so far as this is possible; the use of systematic on-site ground-truthing and test excavations to effectively locate potential burials; the forensic analysis of any recovered remains and, where possible, individualisation and identification, and arrangements for respectful reburial and memorialisation and the appropriate conservation of the site.

146. In 2018 the Minister for Children and Youth Affairs established the Collaborative Forum to facilitate dialogue and action on issues of concern to former residents of the institutions which historically focused on services for unmarried mothers and their children. The Forum's membership is comprised of a majority of former residents of Mother and Baby Homes and County Homes who appointed after an independent selection process. In

December 2018 the Forum submitted its first report which included a number of recommendations.

E. Youth Justice

147. Oberstown Children Detention Campus provides accommodation for all children remanded for a period of pre-trial detention, or committed to a period of detention, by a court of law, under the age of 18 in Ireland. A comprehensive care model of, Care, Education, Health and Wellbeing, Offending Behaviour and Preparation for returning to families and community is in operation at Oberstown with the aim of achieving the best outcomes for young people in detention.

148. Systems are in place in Oberstown to ensure children are informed of their rights have access to advocacy and guardian-ad-litem services. Oberstown Children Detention Campus has a published Complaints Policy, and a Designated Liaison Person (DLP) is available to address any complaints from children or staff. In addition, children may contact the Office of the Ombudsman for Children. Allegations of mistreatment while in Garda custody can also be reported to the Garda Síochaná Ombudsman Commission through the DLP.

149. The *Youth Justice Action Plan 2014-2018* focused on children and young people who required targeted, strategic attention because their behaviour had led to their involvement in the youth justice system. The Action Plan included a number of specific goals and objectives targeted at delivering better outcomes for children who got into trouble with the law, and to reduce crime and make communities safer.

F. Domestic, Sexual and Gender-Based Violence Services

150. Responsibility for the care and protection of victims of domestic, sexual and gender based violence (DSGBV), whether in the context of the family or otherwise, transferred to Tusla 2015. This has enabled a coordinated approach with a dedicated national budget, single line of accountability and greater support and oversight for service provision.

151. In 2018, Tusla allocated €23.8 million to DSGBV services, an increase of €1.7 million from 2017, and an overall increase of €4.3m (22%) since 2015. A network of 59 supported organisations provide, inter alia, emergency refuge accommodation services for women and children, community-based domestic violence services, and Rape Crisis Centres.

152. Tusla's key objective is to enhance access to quality services for victims of domestic violence by working in partnership with relevant statutory agencies, non-governmental organisations and other partners to progress implementation of actions under the National Strategy on Domestic, Sexual and Gender-Based Violence and the Istanbul Convention.

G. Parenting Supports

i. Better Outcomes, Brighter Futures (2014 – 2020)

153. Responses to the recommendations in paragraph 10 of the concluding observations (E/C.12/IRL/CO/3).

154. *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People*, represents Ireland's first overarching national children's policy framework for children and young people (0–24 years). It adopts a whole-of-government approach and is underpinned by a number of constituent strategies in the areas of early years, youth, participation and LGBTI+.

155. A key focus of *Better Outcomes* is on effective implementation to ensure accountability, drive implementation and provide a forum for stakeholder engagement. The Department of Children and Youth Affairs works closely across Government and with Non-Governmental Organisations (NGOs) to advance cross-sectoral priorities such as child poverty, child homelessness, prevention and early intervention, healthy wellbeing, mental health and well-being, and children's rights and education. The collaborative approach has been particularly effective in relation to child poverty, with a 5% drop in the number of children and young people living in consistent poverty from 2014- 2018.

156. *Better Outcomes* recognises the importance of supporting parents as one of six transformational goals central to delivering the best future for children and their families. The Department of Children and Youth Affairs' *High-Level Policy Statement on Supporting Parents and Families* (2015) highlighted the critical importance of parenting on children's lives in influencing social, emotional, and physical outcomes. *First 5* promotes the importance of positive parenting and sets out an action to develop a national model of parenting services.

157. Tusla's Parenting Support Strategy, *Investing in Families: Supporting Parents to Improve Outcomes for Children* seeks to positively impact on family wellbeing and

children's outcomes by providing for local needs analysis and commissioning of services to support parents and parenting practice.

ii. Social Supports

158. DEASP makes a number of payments to claimants with families, including One-Parent Family Payment, Jobseeker's Transitional Payment, Back to Work Family Dividend, Child Benefit, Working Family Payment, and Increase for a Qualified Child.

159. The broad objectives of the child and family support programmes are to provide assistance to all households with children in recognition of the higher costs associated with child-raising and childcare, to provide targeted assistance to no or low-income households with children in a way that minimises labour market disincentives or positively contributes to labour market incentives in order to reduce poverty in households with children.

iii. Childcare

160. Responses to the recommendations in paragraph 23 of the concluding observations (E/C.12/IRL/CO/3).

161. Allocation for funding for Early Learning and Care (ELC) and School-Age Childcare (SAC) has increased by some 141% in the last five years. *First 5* commits to at least doubling this funding by 2028.

Affordability

162. A range of Government-funded universal and targeted supports have been put in place in recent years to make ELC and SAC more affordable. The Early Childhood Care and Education Scheme provides children with 15 hours per week of pre-school education over a 38-week programme year. Since September 2018 children qualify for two years of universal pre-school.

163. The Universal Community Childcare Subvention (2017-2019) and targeted Community Childhood Subvention (2008-2019) (CCS) Schemes provided weekly subsidies to offset fees charged by ELC and SAC settings. CCS was available to families who hold a medical card or are in receipt of social welfare benefits. The Training and Employment Childcare Schemes provided a weekly subsidy to offset fees charged by ELC and SAC settings for parents on approved education or training courses, Community Employment schemes, or those returning to work who need school-age childcare. Specific supports were

also put in place for children in emergency accommodation, in accommodation centres provided by the State for persons in the international protection process or programme refugee children in EROCs (Emergency Reception and Orientation Centres).

164. The Childcare Support Act 2018 became law in July 2018. The National Childcare Scheme is the first ELC and SAC support scheme in Ireland to be set out in statute. The Scheme removes many of the restrictive eligibility requirements of the existing support programmes, whereby a parent must be in receipt of certain Social Protection payments or a Medical Card in order to receive targeted supports. In this way, it aims to combat the poverty traps which may exist within the existing schemes, and to make work pay for parents.

Availability

165. Significant capital investment in ELC and SAC places has been made since 2000 through the Equal Opportunities Childcare Programme (2000–2006), the National Childcare Investment Programme (2006–2013), and the Department of Children and Youth Affairs Annual Early Years Capital Programme, to ensure that an adequate number of high-quality, publicly subsidised places are available across the country. ELC and SAC has been identified as a national policy objective in Project Ireland 2040, the National Planning Framework, which will also lead to greater capital investment over the next decade with €250 million over ten years earmarked to develop the ELC and SAC infrastructure.

166. The Action Plan on School-Age Childcare aims to address availability of after-school childcare. *First 5* commits to moving towards the regulation of all paid, non-relative childminders, which would add to the range of options open to parents, particularly those who prefer home-based ELC.

Children with greater needs

167. There are a range of initiatives in place to ensure ELC provision promotes participation, strengthens social includes and embraces diversity. The Access and Inclusion Model (AIM) supports ELC providers to deliver an inclusive preschool experience, ensuring that children with disabilities can fully participate in the universal pre-school programme. AIM is a child-centred model, involving seven levels of progressive support.

168. Early Intervention Classes are available for children aged 3–5 with a diagnosis of Autism Spectrum Disorder (ASD) to provide early support before primary school. There are currently 130 ASD Early Intervention Classes attached to mainstream primary and special

schools. The Home Tuition Grant Scheme provides a compensatory educational service, as an interim measure only, for children for whom a placement in a recognised school is not available. The Home Tuition Grant Scheme also provides for early educational intervention for children with autism (ASD) in certain circumstances.

169. There are a number of HSE-funded pre-schools run by Section 38 and Section 39 organisations (organisations that, under the Health Act 2004, the State gives assistance to in order to provide a service) which cater specifically for children with complex disabilities. Children attending these pre-schools may have conditions that require specialist input, for example children with severe or profound intellectual disability. *First 5* commits to further developments in this area, including enhancements to AIM and the development of a DEIS (Delivering Equality of Opportunity in Schools)-type model for ELC.

Quality

170. Two national frameworks, Aistear, the curriculum framework, and Síolta, the quality framework, inform and support the provision of high-quality ELC for children aged 0–6 in all settings, including centre-based ELC, home-based ELC and primary schools. An integrated resource, the Aistear/Síolta Practice Guide provides essential guidance for self-evaluation and quality improvement planning for staff in these settings.

171. Regulations for ELC are provided for in legislation and stipulate, among others, child-to-staff ratios, minimum space requirements, facilities for play and rest, and child safety, protection, health and welfare standards. The regulations introduced a mandatory minimum qualification requirement of Level 5 on the National Framework of Qualifications (NFQ) for all ELC staff working with children. Tusla is the statutory regulator of ELC services and ensures compliance with the 2016 Regulations, which aim to secure children’s health, safety and welfare, and to promote the development of children attending ELC settings.

H. Adoption

172. The Adoption (Amendment) Act 2017 was introduced following the 2012 referendum which added Article 42A to the Constitution. The Act provides for the right of any child to be adopted, irrespective of the marital status of his or her parents, where both parents consent to the placing of the child and to the making of an adoption order. It also introduces a new test in the case of the adoption of children whose parents fail in their duty towards them in light of the Constitutional amendment.

173. The Act provides for the adoption of a child by his or her step parent without the requirement for the child's other parent to adopt his or her own child. The step parent will be the sole adopter and will have parental rights and duties in respect of that child as a result of the adoption being effected. The legal status of the parent will not change and only the step parent will be an adoptive parent.

Article 11- Right to Adequate Standard of Living

A. Poverty and Nutrition

i. National Action Plan or Strategy to Combat Poverty

174. The National Action Plan for Social Inclusion 2007-2016 and the Updated Plan for 2015-2017 (NAP inclusion) identified a wide range of targeted actions and interventions to achieve the overall objective of reducing consistent poverty.

ii. Poverty Indicators

175. Three indicators are used to monitor poverty trends, reflecting its multi-dimensional nature: 'at-risk-of-poverty', defined as having an equivalised income below 60% of the median; basic deprivation, defined as lacking at least two of 11 basic necessities; and the overlap of the two, known as consistent poverty.

176. The primary poverty indicator, as used to set the National Social Target for Poverty Reduction (NSTPR), is consistent poverty. This indicator identifies the population which has the greatest needs, in terms of both low income and lack of resources, taking account of the household's living standards as well as the household size, composition and total income. The aim of the NSTPR is to reduce the percentage of the population in consistent poverty to 2% or less by 2020, from the 2010 baseline figure of 6.3%.

177. Diagram 1 below shows the trends in three main poverty indicators for the period 2010 to 2018. The deprivation rate rose sharply during the years of the recession, peaking at 30.5% in 2013, but halving to 15.1% in 2018. The consistent poverty rate rose to 9.0% in 2013, but decreased significantly to 5.6% in 2018. The 'at risk of poverty' rate remained relatively stable but in recent years has seen a decrease from 16.2% in 2016 to 14% in 2018.

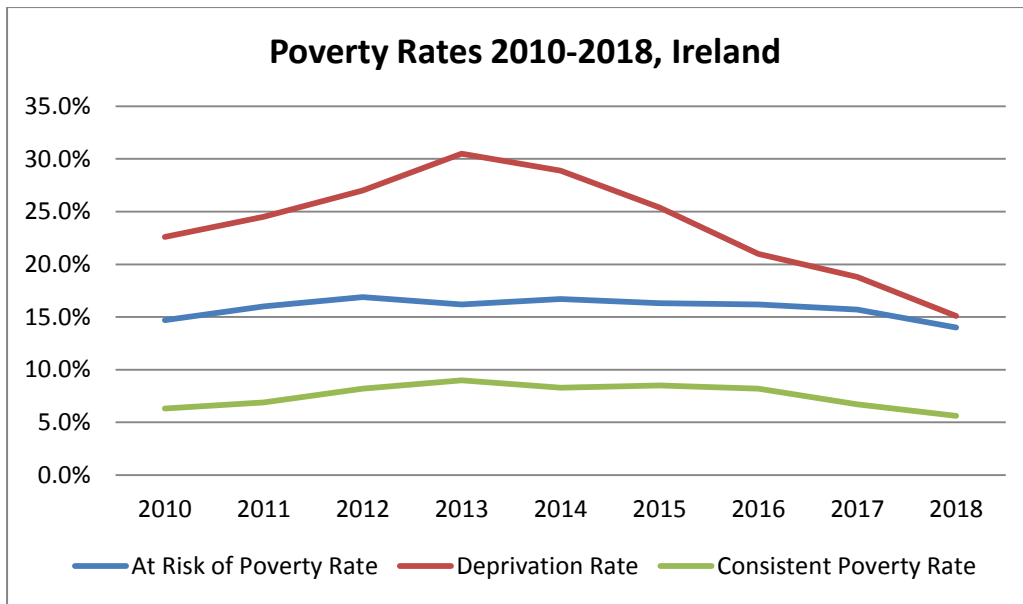


Diagram 1: Poverty Rates 2010-2018, Ireland Source: EU Survey of Income and Living Conditions various years, www.cso.ie

178. Diagram 2 below shows the absolute reduction in those At Risk of Poverty (AROP) due to social transfers (ST), excluding pensions, for the period 2010-2018. The continued investment by the Irish Government in social protection/social transfers throughout the recession and post-recession period is reflected in the poverty reduction effect of social transfers during that time. Ireland is consistently one of the best performers in the EU in terms of the impact of social transfers on the AROP rate.

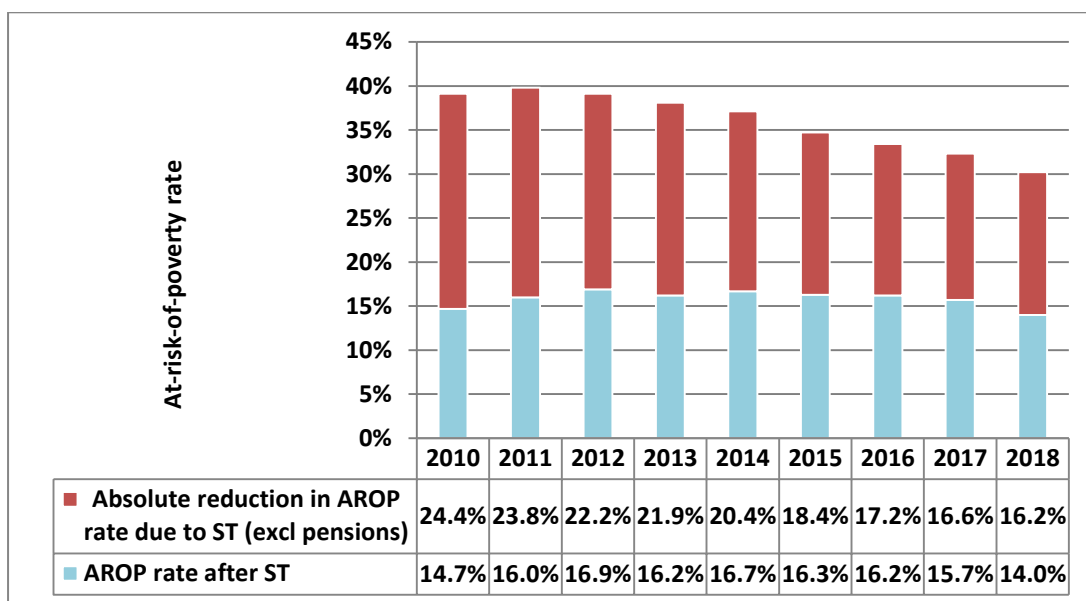


Diagram 2: Impact of Social Transfers on the At Risk of Poverty rate (AROP) 2010-2018.

Source: Survey of Income and Living Conditions various years, www.cso.ie

179. Progress towards the NSTPR and other key poverty indicators is reported on annually in the Social Inclusion Monitor, based on poverty data from the most recently available national Survey on Income and Living Conditions.⁵

iii. Child Poverty

180. Responses to the recommendations in paragraphs 24 and 25 of the concluding observations (E/C.12/IRL/CO/3).

181. *Better Outcomes, Brighter Futures 2014-2020* includes a target to reduce the number of 2011 rate of children in consistent poverty by two-thirds by 2020.

182. Under the *Better Outcomes* framework, a whole-of-government approach to tackling child poverty has been adopted. Child poverty is a main priority under the framework and, in conjunction with the National Advisory Council, an ad-hoc group has been formed with the objective of working with key officials from relevant Government Departments and NGOs towards the adoption of a whole-of-government, multi-dimensional approach to tackling child poverty.

⁵ The most recently available Social Inclusion Monitor for 2017 can be found here: <https://www.gov.ie/pdf/?file=https://assets.gov.ie/31301/ebb1050a77254df982b7b70c99401b2b.pdf#page=1>

183. Following more than a year-long engagement with a range of stakeholders including partner Departments and NGOs, the ‘Whole of Government Approach to Tackling Child Poverty’ paper was published in 2017, which has the potential to generate positive outcomes in reducing levels of child poverty. Among the priorities set out in the paper are reducing the costs of education, housing, and childcare.

184. The latest data from the 2018 Central Statistics Office (CSO) Survey on Income and Living Conditions (SILC) shows a reduction in the consistent poverty rate for children from 8.8% in 2017 to 7.7% in 2018. The child poverty rate has reduced by 5% since its peak of 12.7% in 2014.

iv. Food Poverty

185. The most recent deprivation data from the 2018 SILC shows that 4% of the population were unable to afford a roast once a week. This is the lowest rate for this deprivation item since 2010 and a decrease on the 2013 high of 8.1%. The other food-related deprivation item in SILC relates to being unable to afford a meal with meat, chicken or fish every second day. In 2018, that rate was 1.6%, again the lowest rate since 2005 and down from the 2013 high of 2.3%.

186. In 2018, €5.5 million was spent on the Fund for European Aid to the Most Deprived (FEAD) programme through the ongoing distribution of food and of material assistance in the areas of school kits and new migrants. This provided for the distribution of over 1,300 tonnes of food to almost 152,000 people in communities across the country, though a network of charitable partnership organisations, either in the form of food parcels or prepared meals.

187. *First 5* commits to rolling out a First 5 Trials programme, in which a number of trials focus on improving healthy eating and addressing food poverty. Furthermore, *Better Outcomes* contains commitments across all areas affecting children’s rights and equality, in particular early intervention and prevention and tackling child poverty, including food poverty.

188. *Healthy Ireland – A Framework for Improved Health and Wellbeing 2013–2025* highlights the economic and societal benefits of protecting and maintaining health, preventing illness, and early intervention. It recognises the uneven distribution of health risk factors, with the burden borne disproportionately by those in the lower socio-economic groups, and notes the higher prevalence of childhood obesity in lower socio-economic groups. The

National Advisory Council and *Healthy Ireland* have come together in a Joint Initiative to collate the evidence base on food poverty, decide on specific areas for action, and identify and implement a programme of actions to combat food poverty for children, young people and their families.

189. The School Meals Programme aims to provide regular, nutritious food to children who are unable, due to lack of good quality food, to take full advantage of the education provided to them. It is currently available to all DEIS schools. The scheme provides funding for a breakfast or snack for all children and lunch for up to 90% of children in DEIS schools from September to June, and is an important component of policies to encourage school attendance and extra educational achievement.

v. Food related initiatives

190. Launched in 2012, Origin Green is a national food sustainability programme for Ireland's entire food and drink industry, and a key delivery of *Food Wise 2025*. It is the only food and drink sustainability programme in the world operating on a national scale and which includes farmers, primary producers and retailers working together and leading the way to create a better future for all involved.

191. Under the Origin Green Charter, food and drink producers, retailers and food service operators make commitments under three key areas, namely raw material sourcing; manufacturing processes; and social sustainability. All operate with a common goal- to ensure sustainably produced food.

vi. Food Insecurity and Ireland's International Development Policy

192. *A Better World* identifies "Food" as one of three key areas of intervention and "Reduced Humanitarian Need" as one of Ireland's key development priorities. *A Better World* commits Ireland to strengthening its integrated resilience approach to work on hunger and nutrition in development and humanitarian settings.

193. By 2011 Ireland had met the Hunger Task Force's call to allocate 20% of the Irish Aid budget to actions combating hunger. Moreover, during 2017 Ireland met its commitment to double its expenditure on global nutrition by 2020, from a 2010 baseline of €32m per year. As a founder member of the Scaling Up Nutrition Movement, and through our delegation to ICN2 (International Congress for Nutrition), as well as through repeated high level engagement in the UN-led Zero Hunger Initiative, Ireland continues to be an effective partner

in contributing to the achievement of hunger and nutrition targets, with an emphasis on support at the country level and a strong focus on poor and marginalised communities.

B. Right to Water

194. The majority of the Irish population (83%) have their water supplied by the public system. The domestic element of the water supply system is funded through general taxation. Citizens receive their supply at no charge, save in relation to excess usage. A further 7% of the population receive supplies from group schemes which are subsidised through general taxation. The remaining 10% of the population receive their water from private wells in relation to which the State provides a scheme of capital grants for installation and improvement.

i. Structural and Institutional Reform

195. In 2014 Irish Water was established as the publicly-owned national water services authority to provide safe, clean, affordable and environmentally compliant water and wastewater services, taking over from local authorities. This has facilitated a more consistent and targeted approach to investment prioritisation, driving efficiency in the provision of infrastructure, and ensuring the development of best operational practice. A new funding model was put in place and reflected in the Water Services Act 2017. Irish Water is now fully funded by the exchequer in respect of domestic water services.

196. All households on the public water system receive an annual water allowance of 213,000 litres for which there is no direct charge. Consumption above this level will be subject to an ‘excessive usage charge’ to encourage conservation, which will come into effect in 2020. An additional water usage allowance is available where there are more than four occupants in a household. Those with a medical need can apply for an exemption from the charge. For the group water sector, subsidies are provided to allow for the cost of normal domestic consumption to be met by the exchequer. For domestic private wells, an enhanced grant scheme allows for a payment of up to €5,000 per household for improvement works.

ii. Civic Society Involvement

197. A national water forum, an Fóram Uisce, was established in 2017 which provides a strong, independent voice on water policy issues. It consists of members representing organisations and sectors with an interest in water, including civic society, agriculture,

forestry, environmental NGOs, the group water sector, angling, river trusts and water sports recreation.

iii. Modern Policy and Financial Framework

198. The *Water Services Policy Statement 2018-2025* sets out a series of high-level policy objectives across the three thematic areas of ‘Quality’, ‘Conservation’, and ‘Future Proofing’, which must be pursued when planning capital investment, and framing current spending plans.

199. *Irish Water’s Strategic Funding Plan for 2019-2024* sets out its multi-annual strategic business plan funding requirement of €11 billion to 2024, comprised of a €6.1bn investment in infrastructure and assets and €4.9 billion in operating costs. This significant multi-billion euro investment Plan will support the continued operation, repair and upgrading of the country’s water and wastewater infrastructure to support social and economic development across the State, and protection of the water environment.

iv. Quality Standards

200. The Water Services Act 2007 sets down a comprehensive modern legislative code governing functions, standards, obligations and practice in the delivery of water services. This is supported by an extensive suite of regulations.

201. Water services are environmentally regulated by the Environmental Protection Agency (EPA), which sets standards and enforces compliance with EU Directives and National Regulations for drinking water supply and wastewater discharge to water bodies.

202. The EPA’s 2018 report for Public Supplies notes that the quality of drinking water remains high, with microbiological compliance at 99.9%. The EPA’s most recent report on Private Water Supplies (2017) notes that 96.6% of private water supplies and 96.7% of regulated private group water schemes monitored met the required standard. For wastewater, 66% of households are connected to public services provided by Irish Water. The remaining 34% have individual, group or other wastewater treatment systems, a figure that is in line with the scale of rural population in Ireland.

v. Rural Supplies

203. In 2016, a new approach to funding investment in rural water services infrastructure was introduced through the three-year *Multi-Annual Rural Water Programme 2016-2019*. €46.3m was expended during this period.

A. Housing

i. Housing Policy

204. Housing is recognised as a basic human and social requirement. In 2016, Ireland launched its new housing policy statement *Rebuilding Ireland: Action Plan for Housing and Homelessness 2016 – 2021*, a €6 billion, multi-annual, broadly based action plan to tackle the country's housing shortage by addressing all aspects of the housing system. The comprehensive Plan consists of five Pillars: Address Homelessness; Accelerate Social Housing; Build More Homes; Improve the Rental Sector; and Utilise Existing Housing.

205. The Plan built on previous strategies and was informed, in particular, by the Report of the Oireachtas Committee on Housing and Homelessness and extensive engagement with key stakeholders. It sets out a clear roadmap to significantly increase and expedite the delivery of social housing units, boost private housing construction, improve the rental market, and deliver on the government's commitment to see housing supply, in overall terms, increase to some 25,000 new homes every year by 2020.

ii. Housing Delivery 2011-2018

206. The economic downturn in 2008 had a very significant impact on housing supply and the construction industry, with housing construction falling by over 90% from 2006 to 2013. In particular, all forms of medium to large scale residential development in cities and urban areas stalled. The return to significant and consistent growth, and an increasing population and employment has resulted in demand is outstripping supply, leading to a shortage of new homes and house price and rent inflation.

207. In this regard, the Government's initial focus under *Rebuilding Ireland* has been on delivering homes for households in the lowest income brackets, through the commitment of over €6 billion to deliver over 50,000 new social housing homes by 2021. Qualifying households are also able to avail of the Housing Assistance Payment (HAP), the Rental Accommodation Scheme (RAS) and other targeted programmes. The plan is addressing the needs of homeless people and families in emergency accommodation, accelerating the

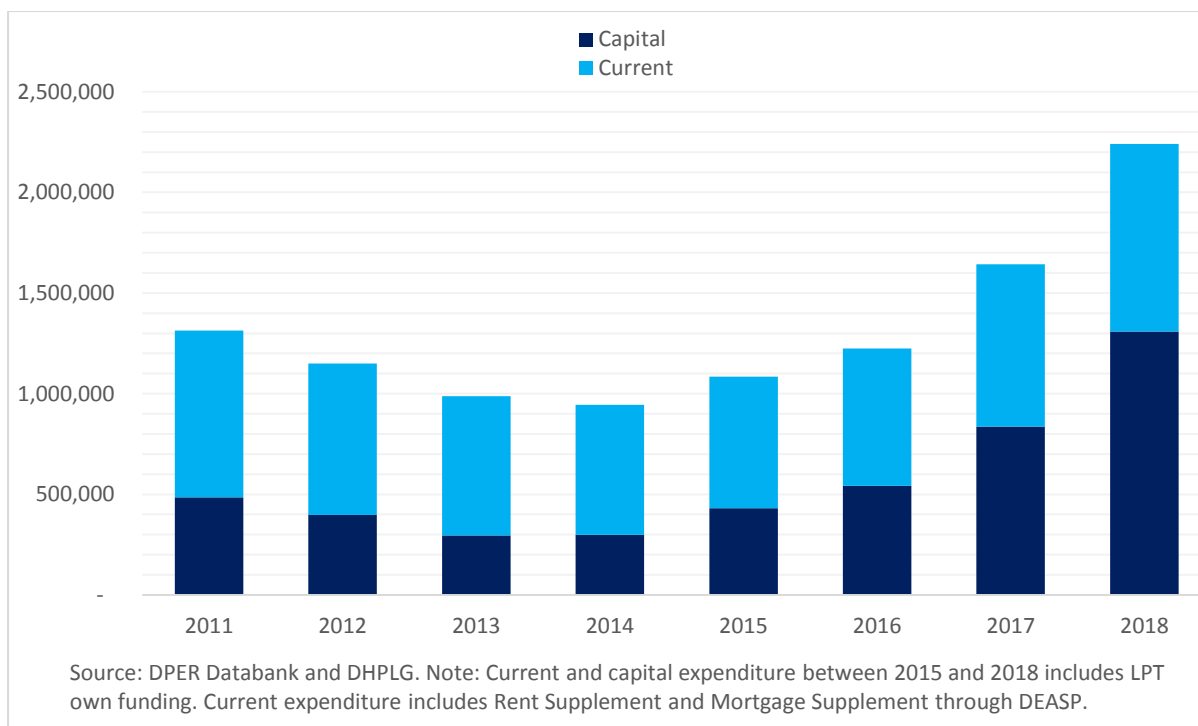
provision of social housing, delivering more housing, utilising vacant homes and improving the rental sector. From 2016 to 2018 more than 21,000 social homes were provided and more than 50,000 tenancies supported through a combination of HAP/RAS, meaning the total number of households supported into homes currently stands at over 72,000. Expenditure in 2018 on the various social housing delivery streams amounted to €2.06bn.

208. From 2011 – 2018 social housing delivery increased from 2,757 to 8,422 dwellings. The intention under *Rebuilding Ireland* is to reach a target of more than 12,000 social housing dwellings per year by 2021, with overall delivery over the 5 year plan of over 50,000 new social housing dwellings and over 88,000 new housing supports through housing assistance payments and the rental accommodation scheme.

209. Overall housing supply increased significantly between 2011 and 2018, with over 18,000 new homes being built in 2018 alone. In addition, more than 2,500 homes were brought out of long-term vacancy, and almost 800 dwellings in unfinished housing developments were completed, meaning the number of new homes available for use increased by almost 21,500 in 2018.

iii. Funding for Housing

210. Total expenditure related to housing over the period 2011–2018 was €10.6 billion. This comprised both capital and current funding. In addition, some local authorities utilise additional funding through retained Local Property Tax receipts to fund housing programmes.



Total Expenditure Related to Housing, 2011-2018

211. Total expenditure related to housing over the period 2011–2018 was €10.6 billion. This comprised both capital and current funding. In addition, some local authorities utilise additional funding through retained Local Property Tax receipts to fund housing programmes.

212. Details on the number of households qualified for social housing support in each local authority area are set out in the statutory Summary of Social Housing Assessments (SSHA). The data garnered through the SSHA allows the DHPLG to target the delivery of social housing supports under the *Rebuilding Ireland* to those most in need.

213. The 2018 SSHA showed that 71,858 households were assessed as qualified for and being in need of social housing support. This represented a reduction of 21.5% from 2016. The 2018 summary identified 648 households as living in unfit accommodation, and a further 3,465 households as living in overcrowded conditions. It identified 18,920 households as having a housing need by virtue of being in unsuitable accommodation.⁶

⁶ Report available at https://www.housing.gov.ie/sites/default/files/publications/files/summary_of_social_housing_assessments_2018_-_key_findings.pdf

iv. Rental Markets

214. Responses to the recommendations in paragraph 26 of the concluding observations (E/C.12/IRL/CO/3).

215. Upward pressure persists in the private residential rental market due to Ireland's strong economic and demographic growth and the restricted rental accommodation supply available, with affordability remaining a significant issue. The Government recognises that the most effective way to reduce and stabilise rents in the medium to long term is to increase supply and accelerate delivery of housing for the private and social rental sectors.

216. Following publication of the *Strategy for the Rental Sector* (2016) a number of targeted measures and initiatives were introduced with the aim of providing better security of tenure, higher accommodation standards and greater rent certainty for tenants, as well as enhancing the supports and services available to landlords to facilitate the development of a more vibrant and sustainable rental sector.⁷

217. The initiatives that have since been implemented include the introduction of the Rent Predictability Measure to moderate rent increases in parts of the country where rents are highest and rising. In areas designated as Rent Pressure Zones, rents can only increase by a maximum of 4% annually.⁸ The measure applies to new and existing tenancies, when rents are set at the start of a tenancy and when rents are set in a rent review during an ongoing tenancy or new tenancy, unless otherwise exempted.

v. Social Housing

218. Responses to the recommendations in paragraph 26 of the concluding observations (E/C.12/IRL/CO/3).

219. The HAP scheme plays a vital role in housing eligible families and individuals. At the end of Q4 2018, just over 43,000 HAP tenancies had been set up since commencement of the scheme in 2014. Revised HAP and Rent Supplement rent limits took effect from 1 July 2016. Additional flexibility to exceed the prescribed maximum rent limits by up to 20% was also extended to all local authorities, with further flexibility in the Dublin area of up to 50% for homeless households.

⁷ <https://www.housing.gov.ie/housing/rebuilding-ireland/rent-predictability/ministers-coveney-and-english-launch-strategy-rental>

⁸ <https://onestopshop.rtb.ie/rent-pressure-zones/>

220. From available data at the end of Q4 2018, approximately 33.1% of the total number of households supported by HAP were benefiting from the additional flexibility to exceed the maximum rent limits. When the additional discretion available to homeless households in the Dublin Region is disregarded, 26.6% of households nationally were benefiting from the additional flexibility. In those cases, the average rate of discretionary payment used was 16.2% above rent limits provided.

221. The Capital Assistance Scheme (CAS) is targeted towards the needs of specific groups. It provides essential funding to Approved Housing Bodies for the provision of accommodation for persons with specific categories of housing need, such as homeless and older persons, people with disabilities, returning emigrants and victims of domestic violence. Over the period 2011-2018 3,188 homes were provided under this scheme.

222. A key action of *Rebuilding Ireland* is the objective to refurbish and re-let vacant social housing, in line with best practices. Towards this end, a programme to tackle vacant social housing units was initiated in 2014. Between 2014 and 2018, 10,992 vacant local authority housing units were refurbished and re-let through an exchequer commitment of €145.5m. In addition, a programme to improve the energy efficiency of local authority housing units was initiated in 2013. Between 2013 and 2018, just over 70,000 local authority housing units have benefited from energy efficiency upgrades at a cost of €139m.

vi. Homeless Households

223. Responses to the recommendations in paragraph 26 of the concluding observations (E/C.12/IRL/CO/3).

224. *Rebuilding Ireland* includes a range of measures relating to the provision of emergency accommodation and supports to households experiencing homelessness.

225. In 2016 the Government introduced specialised emergency accommodation, known as family hubs, for families experiencing homelessness, where they are supported to identify and secure a home. In 2017 and 2018, capital payments amounting to €8.74m and €21.96m respectively, were made in respect of family hubs.

226. The National Tenancy Sustainment Framework (NTSF) has been operating since 2014 and takes a flexible case by case approach in circumstances where there is a risk of homelessness, where rent is being sought in excess of the existing rent supplement limits.

Since 2014 over 12,000 tenancies have been supported with increased rental payments under the NTSF.

227. A National Quality Standards Framework (NQSF) for homeless services was developed in 2018. The NQSF has been implemented over a two-year period in the Dublin. Its aim is to ensure that the services provided to individuals and families experiencing homelessness are well organised, coordinated, integrated and focused on moving people out of homelessness and into sustainable housing solutions as quickly as possible. The standards ensure greater consistency in the national response to homelessness and support service providers by providing a clear framework for them in delivering safe and effective services.

228. The *Monthly Homeless Reports*, contain data on the number of homeless persons accommodated in emergency accommodation funded and overseen by housing authorities. The reports are collated on a regional basis and are based on data provided by housing authorities, and produced through the Pathway Accommodation and Support System (PASS) on the use of homeless services provided through the Dublin Region Homeless Executive.

229. In December 2018, it was reported that there were 6,194 adults homeless nationally, 1,617 families (including 2,279 of the adults aforementioned) and 3,559 dependants. The total number of homeless reported, including dependents, was 9,753. The total estimated number of households in emergency accommodation in December 2018 was 5,532.

230. Specific provision is made in *Rebuilding Ireland* for young persons at risk of, or experiencing, homelessness, involving a multi-agency response with specific arrangements in place for young persons leaving State care. Tusla has distributed its protocol on young people leaving State care to all Housing Authorities, and funding is in place under CAS to enable Approved Housing Bodies to provide residential units to accommodate young people exiting State care and agreed principles have been notified to all Housing Authorities.

231. The Government's Homelessness Policy Statement (2013) recognised that stable housing is the sustainable solution to homelessness and emphasised a housing-led approach as the primary response to long-term homelessness. *Rebuilding Ireland* commits to extending, what was at the time of its launch in 2014, a Dublin only *Housing First* programme by increasing the number of tenancies targeted under the programme and increasing its scope to some of the other major urban centres in Ireland.

232. *Housing First* enables people who are rough sleepers and long-term users of emergency accommodation, and who have high levels of complex needs, to obtain permanent secure accommodation with the provision of intensive supports to help them maintain their tenancies. The 2018 National Implementation Plan for *Housing First* is designed to extend this response nationwide. The plan contains targets for each local authority, with an overall national target of 663 tenancies to be delivered by 2021. The Plan also provides for early solutions to address the high number of households in emergency accommodation, such as the delivery of independent tenancies through the various social housing support programmes.

233. The Homeless HAP Place Finder Service is a targeted support for homeless households or households who are at risk of homelessness, and who are finding it difficult to secure HAP tenancies. Households are supported to identify and secure a tenancy in private rented accommodation, including through the payment of deposits and up to two months' rent, where necessary.

vii. Private Housing

234. The economic downturn of 2008 led to a very significant reduction in housing costs, resulting in previous affordable purchase schemes being discontinued. Following Ireland's economic recovery and corresponding increases in house prices, new arrangements for homes to be made available for purchase, at a discount on open market rates, are now provided for under the Affordable Dwelling Purchase Arrangements Scheme. The scheme is primarily targeted at first time buyers paying more than one third of household income on accommodation costs.

235. In order to support the delivery of affordable homes to purchase or rent, €310 million has been allocated under the Serviced Sites Fund, a three year programme from 2019-2021, to support the provision of around 6,200 homes. These will be built on publicly-owned lands and will mainly be in areas of highest demand with evidence of a need for affordable housing.

236. The Local Infrastructure Housing Activation Fund (LIHAF), a key initiative of *Rebuilding Ireland*, is primarily designed to address the issue of housing supply, a crucial factor in terms of moderating house prices. Funding of €200m was allocated under LIHAF for the period 2017-2021 to fund infrastructure projects which will support the delivery of approximately 20,000 new homes.

viii. Rent supplement

237. Responses to the recommendations in paragraph 26 of the concluding observations (E/C.12/IRL/CO/3).

238. Rent supplement continues its vital role in supporting families and individuals in private rented accommodation, with the scheme currently supporting 17,200 recipients for which the Government has provided €132.4 million for 2019. HAP has facilitated the strategic goal of returning rent supplement to its original purpose: that of a short-term income support.

239. *Rebuilding Ireland* reiterated the objectives of *Housing First* to provide 87,000 flexible housing supports through HAP and RAS between 2016 and 2021. Part of this commitment is the transfer of long-term rent supplement recipients to HAP with a targeted completion date by the end of 2020. HAP's transfers are expected to reduce rent supplement tenancies to some 11,700 rent supplement customers at end 2020.

240. Rent supplement is only one part of the Government's intervention within the private rental sector. The other two main schemes supporting customers in the private rental market - rental accommodation scheme (approx. 18,400 private tenancies) and the housing assistance payment scheme (approx. 52,300 tenancies) - also use rent supplement's rent limits as part of their award criteria. Any costing exercise for rent limits would need to consider the cost impact for both of these two schemes along with other ancillary schemes using rent limits operated by local authorities.

ix. Traveller Accommodation

241. Responses to the recommendations in paragraph 26 of the concluding observations (E/C.12/IRL/CO/3).

242. The Housing (Traveller Accommodation) Act 1998 gives statutory recognition to transient sites as one of the ranges of accommodation options for Traveller families. The Act also established the National Traveller Accommodation Consultative Committee (NTACC).

243. Following on from a commitment in *Rebuilding Ireland*, a review of capital and current funding for Traveller Accommodation Programmes (TAPs) for the period 2000 to 2017 was undertaken. The review identified issues constraining the implementation and management of the TAPs. As a result, the NTACC recommended that an independent expert

review group be established to review the existing legislation around the provision of Traveller accommodation.

244. Further information on the Independent Expert Review Group is included in paragraph 237 of the Common Core Document.

x. Mortgage Arrears

245. Responses to the recommendations in paragraph 26 and 27 of the concluding observations (E/C.12/IRL/CO/3).

246. The statutory Code of Conduct on Mortgage Arrears (CCMA) applies to the mortgage loan of a borrower which is secured by his/her primary residence and sets out how mortgage lenders must treat borrowers in or facing mortgage arrears. Lenders are required to comply with all aspects of the CCMA and non-compliance with the CCMA is enforcement against the regulated entities by the Central Bank.

247. At the end of December 2018, there were 728,168 private residential mortgage accounts for principal dwellings held in the State, to a value of €98.1 billion. Of this total, 63,246 accounts were in arrears, less than half the level of arrears at the end of 2013 (136,564). A new Aid and Advice Scheme for people in serious mortgage arrears is in place as part of Abhaile, the national Mortgage Arrears Resolution Service. The Mortgage to Rent (MTR) Scheme has been reviewed and a range of amendments to the eligibility criteria and administration of the scheme are now in place, enabling more properties to qualify, and making the scheme more flexible and accessible to borrowers.

248. A new MTR scheme using an alternatively funded long-term lease model was piloted in late 2018. A new entity, Home for Life, is entering into long term lease arrangements with local authorities for the provision of accommodation to MTR eligible households.

Complaints Mechanism

249. Responses to the recommendations in paragraph 26 of the concluding observations (E/C.12/IRL/CO/3).

250. Local authorities have a multi-stage procedure for dealing with customer complaints. The first involves discussing the complaint at the point of service, usually the quickest and most efficient way to address matters that have arisen. As a second stage, a formal complaint can be made under the authority's Complaints and Appeals Procedure. If a person continues

to consider the response from the local authority to be unsatisfactory, the matter may be pursued further through the Office of the Ombudsman.

Article 12: Right to Health

A. Health Promotion Policies

i. Obesity and Nutrition

251. *Healthy Ireland Framework 2019-2025* is a roadmap for building a healthier Ireland based on four key goals, namely to increase the proportion of people who are healthy at all stages of life; to reduce health inequalities; to protect the public from threats to health and wellbeing; and to create an environment where every individual and sector of society can play their part in achieving a healthy Ireland.

252. *A Healthy Weight for Ireland- Obesity Policy and Action Plan 2016-2025* (OPAP) is a whole-of-government, cross-sectoral Plan which aims to reverse obesity trends, prevent health complications and reduce the overall burden for individuals, families, the health system, and the wider society and economy. The Policy identified ‘Ten Steps Forward’ that will be taken to prevent overweight and obesity over the duration of the plan.

253. Childhood obesity is a key priority under the policy, as is reducing the inequalities seen in obesity rates, with higher levels seen in lower socio-economic groups. The OPAP is based on the best available evidence in Irish and international literature, and is informed by established international models and frameworks. Key achievements under the OPAP so far include a sugar-sweetened drinks tax which commenced 1 May 2018; a National Clinical Lead for Obesity being appointed in the HSE in 2017; and the publishing of new Healthy Eating Guidelines, Food Pyramid and supporting resources.

254. Ireland endorsed the EU Roadmap for Action on Food Product Improvement in 2016. The Obesity Policy Implementation Oversight Group (OPIOG) established a Reformulation Sub-Group to prepare a report with recommendations on the effective implementation and monitoring of reformulation in Ireland in the light of national and international policy and experience and relevant scientific evidence. The Sub-Group has drawn on policy, practice and academic expertise in the Food Safety Authority of Ireland, *Safefood*, Teagasc, the Northern Ireland Food Standards Agency, University College Cork, School of Public Health and the Department of Health.

ii. Tobacco

255. Tobacco Free Ireland was launched in October 2013, with two key underpinning themes being children's health and the de-normalisation of smoking, and builds on existing tobacco control policies and legislation already in place. It sets a target for Ireland to be tobacco free by 2025.

256. The Public Health (Standardised Packaging of Tobacco) Act 2015 introduced standardised packaging. All forms of branding on tobacco products must be removed except for the brand and variant name, which is presented in a uniform typeface for all brands on the market. Further, the Protection of Children's Health (Tobacco Smoke in Mechanically Propelled Vehicles) Act 2014 prohibits smoking in a vehicle when a child is present, with a penalty of a €100 fine.

257. The European Union (Manufacture, Presentation and Sale of Related Products) Regulations 2016 transposed Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014, on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC into national legislation.

258. Smoking rates in Ireland continue to decline, from 23% in 2015 to 17% smoking daily and 3% reporting smoking occasionally in 2018.

iii. Alcohol

259. The Public Health (Alcohol) Act 2018 has as its primary objectives to reduce alcohol consumption; delay the initiation of alcohol consumption by children and young people; reduce harms caused by misuse of alcohol; and regulate the supply and price of alcohol. These objectives were developed in recognition that alcohol causes harms to health, significant costs to the Exchequer and that alcohol consumption in Ireland remains high.

260. The principles guiding the objectives are that the harms of alcohol make it unlike other grocery products, that consumers should be able to make informed choices about their drinking and that it is key that children and young people's relationship with alcohol was addressed.

iv. Drugs

261. Responses to the recommendations in paragraph 28 of the concluding observations (E/C.12/IRL/CO/3).

262. Ireland's National Drug Strategy, *Reducing Harm, Supporting Recovery - a health-led response to drug and alcohol use in Ireland 2017-2025* emphasises a health-led, whole-of-government response to drug and alcohol use, based on providing person-centred services that promote rehabilitation and recovery. It is underpinned by 5 main goals, and 50 tangible actions. During the deliberation phase of preparation for the strategy, civil society and relevant stakeholders were consulted, including various advocacy groups, peers and service users. In addition, civil society and relevant stakeholders are represented on the implementation and monitoring structures of the strategy.

Prevention

263. The Department of Education published a wellbeing policy and framework for practice in 2018. Integrating wellbeing and positive mental health in education is a core priority to build resilience and confidence in young people.

264. The HSE has developed several campaigns to increase awareness of the dangers of drug use and to minimise harm where people use drugs, including a campaign aimed at students, called #SaferStudentNights and a harm reduction campaign in relation to cocaine and crack cocaine which was developed by the Ana Liffey Drug Project and the HSE.

265. Tusla and the HSE have developed a joint project on Hidden Harm to support children living with parental problem substance use. The project builds awareness of the hidden harm of parental substance misuse with the aim of increasing responsiveness to affected children.

Treatment and Rehabilitation

266. The HSE has commenced the rollout of Suboxone as an Opioid Substitution Treatment for groups of patients in specific circumstances. It can now be prescribed in all HSE Addictions services nationally and by appropriately trained GPs.

267. The availability of Naloxone to people who use drugs, their peers and family members has been expanded. There is also increased education and awareness in relation to overdose and naloxone, as well as increased training in administering naloxone for people who use drugs, peers, families and front-line workers.

268. Additional services for people who are homeless and have addiction and other health needs have been funded to deliver a new model of care for homeless people, as part of an integrated housing and health policy response, including *Housing First*.

269. There has been an increase in the number of drug and alcohol liaison midwives who case-manage pregnant, drug dependent women, providing education and support throughout their pregnancy. Coolmine Ashleigh House in Dublin provides a quality, evidence-based residential addiction treatment service for vulnerable mothers with children. The core element of the service is the *Parents Under Pressure* programme, which combines psychological principles relating to parenting with a case management model. It includes an onsite early years and pre-school service. On completion of the residential service, there is follow-up aftercare for 6 months.

The North East Inner City Initiative

270. The NEIC (North East Inner City) initiative in Dublin city was established in 2017 with drug treatment and rehabilitation identified as a key need. The national drugs strategy provided the approach for the initiative to address the health needs of people who use drugs.

271. Five new services were developed as part of an integrated response to the health needs of people who use drugs in the NEIC: the healthlink team; the community alcohol service; the residential stabilisation programme; the homeless case management team; and the drug and alcohol addiction response team.

B. Sláintecare

272. In May 2017, the Oireachtas Committee on the Future of Healthcare published Sláintecare, its proposal for a ten-year strategy for health care and health policy in Ireland. In August 2018, the Sláintecare Implementation Strategy was published. The four overarching goals of the Sláintecare Implementation Plan are to deliver sustainable reform through focus on implementation and engagement; provide high quality, accessible and safe care that meets the needs of the population; ensure the health service is financially sustainable; and enable the system to deliver its goals. These goals are underpinned with 10 Strategic Actions, which in turn have their own key deliverables and milestones.⁹

⁹ <https://assets.gov.ie/22607/31c6f981a4b847219d3d6615fc3e4163.pdf>.

C. Health services and initiatives for members of the Travelling community

273. Responses to the recommendations in paragraph 28 of the concluding observations (E/C.12/IRL/CO/3).

i. Traveller and Roma Specific Health Care

274. NTRIS includes an objective to deliver and develop health services in a way that is culturally appropriate. Action 73 of NTRIS commits the HSE to develop and implement a detailed action plan, based on the findings of the All Ireland Traveller Health Study, to continue to address the specific health needs of Travellers, using a social determinants approach. The HSE has commissioned an external consultation to develop the detailed action plan to continue to address the specific health needs of Travellers.

275. The Department of Health, in conjunction with the HSE, supports a range of targeted initiatives, programmes and supports to improve the health status of Travellers and Roma, which include primary healthcare projects, counselling services, family support programmes and men's health projects; dedicated public health nurses and related staff; mental health promotion and suicide prevention services provided in a culturally sensitive manner, to reduce the stigma associated with mental health; and employment by the HSE a number of Public Health Nurses and related staff to work towards addressing priority health needs of members of the Traveller community.

276. Traveller Health Units (THUs) have been established nationally to provide primary health care to Travellers in a culturally appropriate service model which comprises a partnership of health professionals i.e. General Practitioners; dedicated Nurse Specialists and Public Health Nurses; and traveller link workers. Each THU carries out activities based on locally identified needs. Innovative projects have been supported, with built-in reporting criteria for informing on-going adaptation, learning and potential replication across all THUs, as well as supporting and funding initiatives such as the Asthma Education programme and Travelling to Wellbeing (suicide prevention).

277. Traveller Primary Health Care Projects (TPHCP) are important vehicles for community engagement and have been identified as a key means of building trust between Traveller communities and health professionals at a local level. The objectives of TPHCP are to establish Primary Health Care as a Model of Good Practice to address Travellers' Health;

to develop the skills of Travellers in providing community-based health services; to liaise and assist in dialogue between Travellers and health service providers; and to highlight gaps in health service delivery to Travellers and work towards reducing inequalities that exists in established services.

278. The Drug & Alcohol Programme focuses on the promotion of Traveller inclusion in national, regional and local responses developed to address substance misuse, and supports Traveller organisations in tackling this issue within their own community. Following an agreement with Coolmine Therapeutic Community (Dublin), Travellers who have completed the residential programme are given the option of undertaking a Community Employment scheme to become Traveller Peer Support Workers to support others in accessing treatment.

ii. Healthy and positive aging initiative

279. The life expectancy of Travellers is lower than that of the general population. The 2016 Census showed that just 3 per cent of Travellers were aged 65 years or older, compared to 13 per cent of the general population.

280. The healthy and positive ageing initiative uses research to better inform policy responses to population ageing. A particular challenge in addressing positive ageing for Travellers is the lack of disaggregated data on ethnic status which is required to monitor and address the health needs of Travellers. To address this deficit, the Department developed a bespoke set of 14 indicators of positive ageing for Travellers, which was published in May 2019.¹⁰ The indicators are in line with a social determinants of health approach.

281. The Roma Primary Healthcare Training programme aims to empower Roma leaders to work to improve Roma health outcomes in their communities in response to issues of poor health, lack of trust and lack of access to health services in the Roma community in Ireland. €220,464 has been provided under the Dormant Accounts Fund 2017-2019 to train 20 Roma leaders as community health workers in the Dublin/Kildare area

282. The HSE funds a number of Traveller mental health initiatives that are focused on both improving mental health and reducing death by suicide by Travellers through training and education programmes and through providing a community development approach to service access and delivery. Many of these initiatives are based in Community Healthcare Organisations and a number are funded directly through Dormant Accounts. A further

¹⁰ <https://assets.gov.ie/9675/adf1354f1bb141d8b950ce52c89c3a4c.pdf>

project, funded by Dormant Accounts to the value of €500,000, aims to support the development of mental health initiatives to reduce suicide and improve mental health outcomes for Travellers. These initiatives include maintaining and promoting positive mental health and wellbeing and improving Traveller access to mainstream mental health services through the development of culturally appropriate services.

D. Sexual and Reproductive Health

283. Responses to the recommendations in paragraph 30 of the concluding observations (E/C.12/IRL/CO/3).

i. Referendum on the Eighth Amendment of the Constitution

284. In Ireland, termination of pregnancy is regulated by constitutional and statute law. Until 2018, the principal constitutional issue was the equal right to life of the pregnant woman and the unborn as inserted into the Constitution by the Eighth Amendment in Article 40.3.3. Amending the legal position on abortion in Ireland required a change to Article 40.3.3 of the Constitution. Following the reports of a Citizens' Assembly, in June 2017 and a Joint Committee of the Oireachtas (Parliament) in December 2017, the Government agreed to hold a referendum to delete Article 40.3.3 and substitute it with wording confirming that the Oireachtas may make laws for the regulation of the termination of pregnancy. The referendum was held on 25 May 2018 and passed, with a vote of 66.4% Yes to 33.6% No. The Thirty-sixth Amendment of the Constitution Act was signed into law by the President on 18 September 2018.

ii. Health (Regulation of Termination of Pregnancy) Act 2018

285. The Health (Regulation of Termination of Pregnancy) Act 2018 was introduced following the 2018 referendum, and repealed the Protection of Life During Pregnancy Act 2013. It permits termination of pregnancy where there is a risk to the life, or of serious harm to the health, of the pregnant woman; where there is a risk to the life, or of serious harm to the health, of the pregnant woman in an emergency; where there is a condition present which is likely to lead to the death of the foetus either before or within 28 days of birth; and without restriction up to 12 weeks of pregnancy. While it is an offence to intentionally end the life of a foetus save in accordance with the legislation, these provisions do not apply to a woman who has ended, or attempted to end, her own pregnancy.

286. The Act provides universal access to termination of pregnancy services for people ordinarily resident in the State.

iii. Accessibility of Services and Information on Crisis Pregnancy Options

287. Services for termination of pregnancy were introduced on 1 January 2019 and are available in both community and hospital settings. It is a Government priority that termination of pregnancy services are provided as a normal part of the Irish health care system. Resources of €12 million were allocated to provide for termination of pregnancy services in 2019 alone.

288. The HSE is also providing ‘My Options’, a crisis pregnancy information and counselling service. It includes internet-based information on unplanned pregnancy support services, and a free telephones helpline with an Information and Counselling service. It can provide an interpreter for 240 different languages.

E. National Maternity Strategy

289. Ireland's first National Maternity Strategy *Creating a Better Future Together 2016 - 2026* recommended that services should be woman-centred, and provide integrated, team-based care. It outlined a new model of integrated care comprising three care pathways: Supported, Assisted and Specialised, meaning every woman is able to access the right level of care, from the right professional, at the right time and in the right place, based on her needs.

290. This model of care addresses the growing complexities associated with maternity care by ensuring capacity and ability to provide specialised and complex care to both mother and baby quickly and responsively as required. It encompasses all the necessary safety nets, including ongoing risk and need assessments, in line with patient safety principles.

291. In January 2017, the National Women and Infants Health Programme was established in the HSE to drive the implementation of the Strategy and to lead the management, organisation and delivery of maternity, gynaecology and neonatal services. The Strategy recommended that the Programme provide additional supports to pregnant women from vulnerable, disadvantaged groups or ethnic minorities and take account of the family's determinants of health, e.g. socio-economic circumstances. The Strategy also states that women will have access to all necessary information, in a readily understandable format, to

allow them to make informed choices regarding their care. This is underpinned by the principles of informed consent.

292. Under the Maternity and Infant Care Scheme, all maternity care is free at the point of access in Ireland. Women also have the option to receive their antenatal and post-natal care free as part of a shared model of care with their General Practitioner.

F. National Sexual Health Strategy

293. The *National Sexual Health Strategy* was published in 2015 and has 3 goals, namely the provision of comprehensive sexual health education and prevention services for everyone; the provision of equitable, accessible and high-quality sexual health services; and the collation and analysis of robust and high-quality data which will inform policy development.

294. At an operational level, sexual health and reproductive services are provided under the Sexual Health and Crisis Pregnancy Programme within the HSE, in partnership with a range of NGOs and other stakeholders.

i. Prevention of HIV infection

295. A national programme of HIV Pre-Exposure Prophylaxis, or PrEP has begun, within a holistic prevention service which includes regular monitoring and testing, as well as advice and counselling on safer sex practices. Ireland has formally become a member of the HIV “Fast Track Cities” initiative, a major global partnership committed to accelerating local HIV/AIDS responses.

ii. Contraception

296. A National Condom Distribution Service has been established which distributes free condoms to services working directly with population groups who may be at increased risk of negative sexual health outcomes. In 2018 the service provided 409,000 condoms to 67 organisations working with at risk groups. This service is currently being expanded to provide services to third level students, by way of condom dispensing machines on third level campus facilities.

297. Work is ongoing regarding the Ancillary Recommendations of the Joint Committee on the Eighth Amendment of the Constitution concerning the free availability of contraception and the improvement of sex and relationships education.

iii. Education and Information

298. In April 2018, the Minister for Education and Skills requested that the National Council for Curriculum and Assessment (NCCA) undertake a major review of Relationships and Sexuality Education (RSE) in schools across all stages of education to ensure that it is fit for purpose and meets the needs of young people today in modern Ireland.

299. The Minister requested that the report should cover the specific areas of consent and what it means; developments in relation to contraception; healthy, positive, sexual expression and relationships; safe use of the internet; social media and the effect that these have on relationships and self-esteem; and LGBTQ+ matters.

300. The NCCA's final Report on the Review of Relationships and Sexuality Education (RSE) in primary and post-primary Schools was published in December 2019, and made a number of recommendations in response to its key finding, including an updating of the overall RSE curriculum.

G. Global Health and Ireland's International Development Policy

301. Ireland's commitment to implementing the various international declarations of support for health and HIV and AIDS is reflected in its international development policy and programme. Ireland has clear policies for health and HIV and AIDS, together with a number of guidelines for their implementation at global, regional and country levels. Ireland also provides financial assistance to a number of UN funds and agencies that apply a rights-based approach to their important work around HIV and AIDS and health. Alongside this, Ireland supports a number of global health partnerships, including product development partnerships, which work to ensure that those furthest behind have access to services and products to deal with a selection of high burden diseases that disproportionately affect women and children.

302. Ireland's primary partner at country level is the National Government and in the context of health, the Ministry of Health which has responsibility for ensuring its citizens' have access to at least basic health services. This support is evident in Ireland's funding to the World Health Organisation's (WHO) Universal Health Coverage Partnership (UHC-P) project which aims to promote progress and coordination of various initiatives working towards Universal Health Coverage in a number of our Partner Countries in Africa. Ireland further provides support to other providers, including NGOs, and emphasises the health of women and children in its partnerships.

303. Ireland is committed to Health System Strengthening so as to ensure health systems are capable of responding to the impact of climate change and future disease burdens. Ireland showed critical leadership in West Africa in response to the deadly outbreak of Ebola in 2014. Ireland was one of only three European Union Member States at the time present in Sierra Leone, working alongside the Ministry of Health, WHO and others to improve coordination efforts of the response, mobilise increased resources, and support critical engagement with local communities to limit the spread of the virus. In neighbouring Liberia, Ireland mobilised additional funding and resources to strengthen infection prevention and control in health facilities to improve the health and safety of health workers. In the aftermath, Ireland disseminated learning from the outbreaks both nationally and internationally to promote increased investment in health system strengthening and to bolster preparedness in the event of any further outbreaks.

304. *A Better World*, provides for an initiative on Sexual and Reproductive Health and Rights, building on our work on health and HIV and AIDS, and education. Reducing humanitarian need is also included as a priority. Appropriate quality and accessible sexual and reproductive health services in emergencies are critical for protecting the health of populations in these contexts and providing the basis for a healthy future.

Article 13- Right to Education

A. Provision of Education

305. Primary education is free for all in Ireland. Article 42 of the Constitution provides that parents are free to choose the provider of education. Attendance at schools funded by the State is not compulsory on this basis. Similarly, ‘free education’ is available at post-primary level where no school attendance fees apply. There are a small number of private fee paying schools which cater for a minority of students whose families choose to attend such schools.

B. Admission to Schools

306. Responses to the recommendations in paragraph 31 of the concluding observations (E/C.12/IRL/CO/3).

307. The Education (Admission to Schools) Act 2018 provides for a series of measures to improve the schools admissions process. The Act is intended to create an equitable and

consistent approach to how school admissions policies operate for all primary and post-primary schools.

308. The Act provides that where a school is not oversubscribed, and places are available, the school must admit all students applying. The Act states that a school must provide an admission statement in its admission policy stating that the school will not discriminate in its admission on any of the nine grounds specified in the Equal Status Act 2000 of the student or applicant.

C. Non-Denominational Schools

309. Responses to the recommendations in paragraph 31 of the concluding observations (E/C.12/IRL/CO/3).

310. The Government's objective is to have 400 multi-denominational or non-denominational schools in the primary system by 2030.

311. Education Indicators for Ireland published by the Department of Education and Skills indicate that there were 119 multi-denominational primary schools and 349 multi-denominational or non-denominational post-primary schools in the 2018 school year. The 349 post-primary schools equated to approximately 50% of the total stock of schools, and a similar representation in terms of pupils. In September 2019, 17 new multi-denominational primary schools came on stream. 12 new (mainstream) multi-denominational primary schools were established to cater for demographic growth. In addition, 3 existing Catholic schools and 1 Church of Ireland schools also became Community National Schools together with 3 Steiner Schools and a new Educate Together school opened. At post-primary level, an additional four post-primary schools were established in September 2019 - all of which are multi-denominational.

D. Technical and Vocational Education

312. Since the publication of the first Further Education and Training (FET) Strategy in 2016, a core priority of the FET Sector has been to foster active inclusion, particularly of marginalised individuals or communities, to participate in further education and training, and to enable every individual to fully participate in society.

313. There are a broad range of courses and programmes on offer within FET in Ireland at levels 1-6 of the National Framework of Qualifications (NFQ) providing learning and

upskilling opportunities for around 320,000 beneficiaries each year. Initiatives such as the ‘*Skills to Advance*’ programme targeted at low skilled employees and ‘*Upskilling Pathways : New Opportunities for Adults*’ which helps those with less than upper second level education acquire a minimum level of literacy, numeracy , and digital skills, provide support and equal opportunity to priority cohorts.

314. Implementation of the findings in the Review of Pathways to Apprenticeship has resulted in the expansion of pre-apprenticeship opportunities, and the growth in female participation in apprenticeship from 60 in 2016 to 665 in 2019.

315. The FET Literacy and Numeracy Strategy sets out 12 inter-related elements which aim to promote, develop and encourage literacy and numeracy skills in the adult population. As well as dedicated literacy programmes, there is also a focus on supporting integrated literacy and numeracy on all FET programmes. A range of programmes are also provided within Education and Training Boards (ETB) for individuals who wish to develop their digital literacy, and basic ICT tuition is integrated within adult literacy and numeracy provision.

316. Ireland continues to welcome a diverse cohort of ‘new Irish’. These new community members in Ireland come from a wide range of cultural, linguistic, educational and social backgrounds. Through ETBs, English for Speakers of Other Languages (ESOL) classes are provided across the country, comprising of learners who are highly educated with professional and skilled backgrounds, as well as those who are less qualified.

E. Higher Education

317. Under the Free Fees Initiative, funding is provided toward the tuition fee costs of eligible students. Students pay a student contribution, which stands at €3,000. The last increase in the contribution level took place in the 2014/2015 academic year.

318. Under the Student Universal Support Ireland (SUSI) scheme the exchequer pays the contribution, partially or in full, on behalf of eligible students. The principal support provided in financial terms is the Student Grant Scheme, which makes available means-tested financial assistance to students in further and higher education. Separately, a parallel grant scheme exists for persons in the protection process or at the leave to remain stage of the immigration system. The Pilot Support Scheme was introduced in 2015.

319. The vision of the third *National Plan for Equity of Access to Higher Education (2015 – 2021)* is to ensure that the student body entering into, participating in, and completing higher education at all levels reflects the diversity and social mix of Ireland's population. The Plan identifies target groups which are under-represented in higher education, including entrants from socio-economic groups that have low participation in higher education, Irish Travellers, students with disabilities, first time mature student entrants, part-time/flexible learners and further education award holders. Lone parents are also included in this grouping.

320. There are three main funding streams which support the implementation of the National Access Plan, namely the Programme for Access to Higher Education (PATH); the Student Assistance Fund (SAF); and the Fund for Students with Disabilities (FSD).

321. The progress review of the Plan was published in December 2018, which acknowledged a number of significant positive developments. Participation in higher education across the State increased from 51.5% to 55.3%. Participation rates increased among the disabilities target group and the semi/unskilled manual worker group. However, progress in the Traveller target group and mature students was less than expected. In response, an *Action Plan to Promote Traveller Participation in Higher Education* was developed and published in late 2019. The plan was developed in consultation with Traveller representative groups, and aims to support and advance Traveller participation in higher education.

F. DEIS Schools

322. The Delivering Equality of Opportunities in Schools (DEIS) Programme serves approximately 20% of the overall school population, and over 900,000 pupils.

323. The Action Plan for Education 2016-2019 included a commitment to increase financial support for book rental schemes, as resources permit, in order to reduce/eliminate school book costs for parents. Budget 2020 provided for an investment of €1m to provide funding for school books in primary schools. This funding is being utilised to provide free books in more than 100 DEIS Primary Schools on a pilot basis. The book grant rate payable in respect of pupils in these schools is being increased from €21 to €85 per pupil and will impact over 15,500 pupils and ease the financial burden on their families.

324. The DEIS Plan 2017 outlines an ambitious set of objectives and 108 actions to support children who are at greatest risk of educational disadvantage. The Plan includes 5 key

goals, namely the implementation of a more robust and responsive assessment framework for the identification of schools and effective resource allocation; to improve learning experiences and outcomes for pupils in DEIS Schools; to improve the capacity of schools leaders and teachers to engage, plan and deploy resources to their best advantage; to support and foster best practice through inter-agency collaboration; and to support the work of schools by providing research, information, evaluation and feedback. Approximately 90% of the 108 actions in DEIS Plan are either complete or underway.

325. Schools participating in DEIS have seen retention to Leaving Certificate improve since the introduction of DEIS from 80.1% for the 2006 entry cohort to 84.7% for the 2012 entry cohort. The gap in retention rates between DEIS and non-DEIS schools has narrowed from a gap of 16.8% for the 2001 entry cohort to approx. 8.5% for the 2012 cohort.

Article 14- Compulsory Primary Education

326. There have been no developments relating to this article of the Covenant since Ireland's last report (E/C.12/IRL/3).

Article 15- Right to Take Part in Cultural Life

A. Intangible Culture Heritage

327. Response to the recommendations in paragraph 10 of the concluding observations (E/C.12/IRL/CO/3)

328. Ireland ratified the 2003 UNESCO Convention of the Safeguarding of the Intangible Cultural Heritage (ICH) in 2015. In 2017, as a measure to ensure protection and promotion of diverse cultural practices and expressions, Ireland commenced an 'open-call' consultation process for members of the public/ interested parties to submit 'Expressions of Interest' (EOI) for their practices to be included in the inaugural National Inventory of ICH, leading to over 80 EOIs being received and 30 practices being inscribed. The National Inventory recognises Ireland's ICH on a State level, placing an obligation on the State to work with all stakeholders to raise awareness of and support the safeguarding of these practices.

B. Respect for Cultural Diversity

i. Migrant Integration

329. The *Migrant Integration Strategy 2017- 2020* has a strong anti-racism focus, setting out a whole-of-government approach with specific areas for action to promote intercultural awareness and to combat racism and xenophobia.

ii. Traveller Culture

330. The National Museum of Ireland collaborated with the Traveller Community in the development of *Travellers Journey*, an exhibition launched by the President of Ireland in July 2018. As part of the Creative Ireland Programme in 2018, the State supported the Traveller Community initiative *Telling Our Own Stories*; an initiative aimed to ensure that the life experiences of older Travellers were recorded and valued for future generations. The Traveller community is represented in the membership of Aosdána since 2017, membership which is limited to 250 living artists who have produced a distinguished body of work and is by peer nomination and election.

331. Of the 30 practices inscribed on Ireland's Inventory of ICH, two practices were by members of the Travelling Community, namely Cant/Gammon Traveller Language and Tinsmithing.

332. Given the importance of horse ownership as an aspect of Traveller culture, the Department of Agriculture, Food and the Marine currently supports approximately a dozen horse projects at various levels of development around the country, aimed to support Traveller/urban horse owners in education on animal husbandry and welfare.

C. Cultural Bodies and Initiatives

i. Culture 2025

333. *Culture 2025* is a policy framework that defines the scope and sets the direction for Government policy in the whole cultural field. The fundamental purpose of Culture 2025 is to ensure a unified and coherent approach to cultural policy across government and to planning and provision across the cultural sector.

ii. The Arts Council

334. The Arts Council’s strategic framework *Making Great Art Work* was published in 2015 and sets out the Arts Council’s plans to lead the development of the arts in the decade 2016–2025, setting out its mission which includes the investment of public monies allocated by the Government in supporting artist and arts organisations. The strategy prioritises support for artists throughout their careers to allow artists to make excellent work which is enjoyed and valued.

335. Following extensive stakeholder consultation, the *Arts Council Equality and Human Rights and Diversity (EHRD) Policy and Strategy* was published in 2019. The publication of this policy is recognition by the State that, as the agency tasked with the development of the arts in Ireland, it is crucial that the Arts Council takes a proactive and focused approach to ensuring that everyone who lives in Ireland has the opportunity to engage with, and participate in the arts. The policy outlines actions that work towards ensuring equality of opportunity, access and outcomes in the arts for all living in Ireland regardless of their gender, sexual orientation, civil or family status, religion, age, disability, race, membership of the Traveller community, or socio-economic background.

iii. Creative Ireland

336. The *Creative Ireland Programme 2017-2022* is a high-level, high-ambition, all-of-government initiative which places creativity at the centre of public policy. A key element of the development of strategies and action plans under the Programme was engagement with stakeholders and interested parties, including youth. Pillar 1 of the Programme “Creative Youth” aims to promote a society in which knowledge and creativity are equal partners in the formation of our young people, both in the formal education system and in non-formal or out of school settings. Pillar 2 of the Programme “Creative Communities” aims to empower Local Authorities to lead the engagement of citizens with our arts, heritage and culture so as to enable creativity at local level.

iv. National Archives of Ireland

337. The National Archives have engaged in an extensive programme of work to digitise State archives of significant historical and genealogical interest and publish them online, together with searchable databases to aid retrieval, as a means of facilitating free public

access to State archives and of engaging citizens with archival documents relating to the history and heritage of Ireland.

338. Since 2017, the National Archives has been engaged in collaboration with educational institutions, local history and genealogy organisations and voluntary bodies to promote access to and use of the National Archives and its archival holdings. In collaboration with Dublin City Council Culture Company, there has been extensive engagement with local communities and groups, including school children from disadvantaged areas or backgrounds, and the new Irish.

D. Irish Language

339. Under the Constitution of Ireland, Irish is the first official language of the state. The Official Languages Act, enacted in 2003, provided, for the first time, a statutory basis for the provision of general State services through the medium of Irish.

340. The Irish Government's *20-Year Strategy for the Irish Language 2010-2030* is the State's policy for the Irish language. Funding of over €60m is provided annually by the Department of Culture, Heritage and the Gaeltacht as a direct support for the implementation of the 20-Year Strategy and for the delivery of Irish-language programmes on an all-Ireland basis by the Language Body, An Foras Teanga, established under the Good Friday Peace Agreement.

341. The Irish Government also funds the teaching of Irish for all students attending English-medium primary and secondary schools while simultaneously funding Irish-medium education for nearly 60,000 students annually. The overarching goal of the *Policy on Gaeltacht Education 2017-2022* is to support the use of Irish as the main language of Gaeltacht¹¹ communities, through the provision of high quality Irish-medium education in schools located in Gaeltacht areas. A range of additional supports have been provided to schools that have opted to participate in the Gaeltacht School Recognition Scheme.

342. The Education (Admission to School) Act 2018 makes a provision for an Irish Language school to give priority in admission to students who have attained a level of fluency in the Irish language, where the said fluency would be at risk of regressing if the student were not admitted to an Irish language school.

¹¹ The term 'Gaeltacht' is used to denote areas in Ireland where the Irish language is the main spoken language of a substantial number of the local population.

E. Public Library Service

343. Ireland's public library strategy for the period 2018-2022, *Our Public Libraries 2022 – Inspiring, Connecting and Empowering Communities*, outlines the role of the public library as a trusted place at the centre of the community, with access to communal spaces, services and resources for all people and communities, enabling social sharing among peoples and cultures, celebrating diversity and encouraging harmony.

344. The library service has a longstanding and important role in promoting Irish literature and the Irish language. It provides access, not only through extensive collections, but also through an increasing range of festivals and events across the network of branches.

345. The public library is a curator of memory and is responsible for creating, storing and sharing local culture and historical records. Public libraries played a central role in delivering the *Decade of Centenaries Programme 2012-2022* and *Creative Ireland 2017-2022*, producing quality publications and holding exhibitions and talks that were free to the public.

F. Broadband Internet Access in Rural Areas

346. Response to the recommendations in paragraph 34 of the concluding observations (E/C.12/IRL/CO/3).

347. The National Broadband Plan (NBP) is the Government's strategy to ensure that every home, school and business in Ireland, regardless of how remote or rural, has access to high speed broadband. This is being achieved through a combination of commercial investment across Ireland, and State intervention in those areas where commercial operators acting alone are unlikely to invest.

348. Since 2012 the NBP has acted as a catalyst for encouraging investment by the telecommunications sector. In 2012 less than 700,000 premises of the 2.3 million in Ireland had access to high speed broadband. By the end of 2018 over 1.75 million premises in Ireland had access to high speed services.

349. The contract for the network to be deployed under the NBP was signed in November 2019 with National Broadband Ireland (NBI). All counties in Ireland will see premises passed in the first two years and over 90% of premises in the State will have access to high speed broadband within the next four years. The NBP network will offer users a high speed broadband service with a minimum download speed of 150Mbps from the outset. By the end

of 2021 NBI plans to pass approximately 115,000 premises, with 70,000- 100,000 passed each year thereafter until rollout is completed.

G. Sport

350. Ireland has taken a number of significant measures to ensure that everyone has the right to partake in Sports.

351. In 2013, while Ireland held the EU Presidency, the key objective set for the EU Sport agenda was the identification of critical challenges in the financing of sport, particularly grassroots sport, with a particular focus on funding sustainability.

352. The Sport Ireland Act 2015 provided for the establishment of Sport Ireland, and gave it significant powers to administer and develop sport in Ireland. Ireland's *National Physical Activity Plan 2016* contains 60 actions to drive a more physically active and healthy population, some of which are aimed specifically at promoting and encourage an active lifestyle amongst people with disabilities and amongst disadvantaged and minority communities. The *National Sports Policy 2018-2027* contain actions which focus on improving sport participation by persons with disabilities, the LGBTI+ community, the Traveller community and other ethnic minorities,

353. The first ever Children's Sport Participation and Physical Activity study was published in 2011, which provided important insight into physical activity, physical education and sport participation levels amongst Ireland's children and youth. A second version of this study was undertaken in 2018 and was published in 2019. These studies guide and inform policy approaches.