ASSESSMENT OF EQUALITY AND HUMAN RIGHTS ISSUES

EVIDENCE BOOK

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INTRODUCTION

The Public Sector Equality and Human Rights Duty requires public bodies to have regard to the need to eliminate discrimination, promote equality of opportunity, and protect human rights in carrying out their functions[1]. Public bodies must undertake an assessment of the equality and human rights issues facing the identified groups that are relevant to their functions as a first step.

The groups identified for the Duty are covered by the grounds of gender (including Trans people), civil status, family status (including lone parents, carers), age (including young people and older people), disability (broadly defined to encompass all impairment groups), sexual orientation, race, religion, membership of the Traveller community, and socio-economic status (those at risk of or experiencing poverty and exclusion).

The assessment identifies the issues that face these groups, relating to their:

Situation, in terms of their access to resources and any particular disadvantage they experience;

Experience, in terms of the quality of their interaction with employers and service providers and the wider society; and

Identity of the group in terms of how they chose to give expression to their identity and the failure to meet the specific needs that arise from this.

The functions of Cork ETB are: provision of education and training services; development and provision of support systems for learners; planning for schools and other centres of provision, and for youth services; funding and supporting informal education initiatives, including oversight and monitoring; employer engagement; corporate services; procurement, buildings and estates; finance; human resources; IT; and acting under the aegis of the relevant Government Departments in relation to infrastructure, supports and services.

The core equality and human rights issues that have most relevance to the functions of Cork Education and Training Board are set out in Section 2. The equality and human rights issues identified below relate to all of the identified groups unless otherwise indicated. Cork Education and Training Board has identified five equality and human rights values as motivating its ambitions for the Duty: Respect; Inclusion; Empowerment; Participation; and Independence. These five values are used as a framework to set out the equality and human rights issues.

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[1] Section 42, Irish Human Rights and Equality Commission Act 2014.

The guidance for the Duty identifies that assessment is to be evidence-based. The evidence base used is set out in Section 3. The assessment is, further, to be participative. A report on a validation meeting for the assessment, with civil society organisations representative of the identified groups, is set out in Section 4.

ASSESSMENT OF EQUALITY AND HUMAN RIGHTS ISSUES

This assessment recognises and includes the specific oppressions of racism, classism, ableism, homophobia, transphobia, sectarianism, sexism, and ageism.

RESPECT

Respect *is about fairness and dignity. It involves freedom from bullying, harassment and discrimination.*

The equality and human rights issues to be addressed in implementing the Duty, related to this value and relevant to the functions of Cork ETB, are:

- Discrimination and the expectation of discrimination, at the individual and the institutional levels, including:
  - in the fields of employment and education provision across the identified groups
  - specific issues of pregnancy related discrimination
  - specific issues of discrimination against those transitioning their gender identity

- Bullying, harassment, sexual harassment and abuse, including:
  - in public settings and online
  - in the workplace and in education settings
  - leading to people feeling unsafe and isolated
  - leading to unwelcoming environments where people feel they have to hide their identity
  - gender based violence

- Prejudice and stereotyping:

- o leading to false assumptions about and inadequate decision-making in relation to people

- o leading to lack of respect and dignity

- o leading to internalised stigma

- Segregated educational settings arising from systemic issues and 'soft' barriers, including for example:

  - o on the socio-economic status ground, for migrants, for people with disabilities, and on the religion ground.

- Lack of knowledge about rights and relevant legislation among service providers and employers and failure to build staff capacity or educate a wider public in this regard

- Lack of knowledge about rights and capacity to exercise rights in relation to discrimination and harassment among people from the identified groups, and lack of information provision in this regard leading to under-reporting of discrimination

- Lack of privacy, of protection for personal information and of confidentiality

INCLUSION

Inclusion *is about understating, recognition and appreciation of diversity. It involves openness in responding to the different needs that emerge from this diversity.*

The equality and human rights issues to be addressed in implementing the Duty, related to this value and relevant to the functions of Cork ETB, are:

- Lack of universal design of physical infrastructure, IT systems, organisational systems and programmes, and learning systems and environments, for accessibility across the identified groups

- Lack of adaptability and flexibility, lack of supports and resources to address specific needs, and expectations that people fit into existing systems, including:

- o Making reasonable accommodation for people with disabilities

- o Recognising and taking into account the practical implications of cultural difference

- o Addressing and responding appropriately to the diversity of sexual identities and gender identities

- o Addressing and responding appropriately to language diversity

- o Addressing and responding appropriately to literacy issues

- o Lack of flexible working provision and supports for those with caring responsibilities, and lack of take-up by men of flexible working arrangements available

- o Lack of systems to establish and respond to specific needs of people from the identified groups

- Invisibility for diversity, including:

  - o Lack of focus on diversity and identified groups in educational curricula

  - o Lack of visibility for diversity in workplace and service provision settings

  - o Lack of data collection and analysis rendering groups invisible, in particular including: Black and minority ethnic people, including Travellers and Roma, and LGBTI+ people

  - o Lack of resources for and promotion of Black and minority ethnic cultures, including Traveller culture

  - o Feeling one has to hide one's identity for fear of negative consequences, including lack of disclosure of identity by people with disabilities, and barriers to coming out for LGBTI+ people

- Lack of awareness and knowledge among management and staff in organisations and among service users that engage with that organisational space, about diversity and the particular needs that arise for the identified groups and for those at the intersections between these groups, and lack of policies and procedures in relation to these issues.

EMPOWERMENT

Empowerment is about the diversity of people having a voice, being listened to, and being part of decision-making processes. It involves supporting this diversity of people to engage with these decision-making processes.

The equality and human rights issues to be addressed in implementing the Duty, related to this value and relevant to the functions of Cork ETB, are:

- Not being listened to, not being heard, lack of opportunity to make one's point, and fear of speaking out

- Lack of presence in positions of power

- Lack of presence in organisational structures for decision-making and consultation

- Lack of representative organisations and lack of engagement with representative organisations

- Lack of literacy, confidence, skills, resources and lack of availability of supports required to engage in consultation and to participate in decision-making systems

PARTICIPATION

Participation is about the diversity of people achieving equal outcomes in employment, education and other fields. It involves positive actions and growth-enabling experiences that can make a positive difference.

- **The equality and human rights issues to be addressed** in implementing the Duty, related to this value and relevant to the functions of Cork ETB, are:

- Unemployment, underemployment, precarious employment, and lack of employment, including:

  - Black and minority ethnic people, including Roma and Travellers, people with disabilities, young people, and those covered by the socio-economic status ground

- Lack progression in employment and into employment, including:

  - Travellers and Roma, people with disabilities, women, and those covered by the socio-economic status ground

- Lack of participation in apprenticeships, including:

  - Women, older people, and Black and minority ethnic people including Roma and Travellers

- Educational disadvantage, low levels of educational outcomes and high levels of school dropout and early school leaving, including:

  - Black and minority ethnic people, including Roma and Travellers, people with disabilities, LGBTI+ people, and those covered by the socio-economic status ground

  - over-representation in fields of study with lower potential in terms of labour market outcomes, and associated issues of lack of access to guidance

  - lack of pathways to further education for those without the requisite national qualifications

- Digital inequality and lack of digital literacy, skills, resources, and equipment, in particular including:

  - Travellers and Roma, older people, and those covered by the socio-economic status ground

- Poverty and financial barriers, in particular including:

  - Black and minority ethnic people, including Travellers and Roma, and those covered by the socio-economic status ground

  - People with disabilities, including in terms of the additional cost of disability

  - Low income of those covered by the socio-economic status ground and predominance of women in low paid jobs

  - Gender pay and pension gaps

- Barriers due to lack of transport, in particular including:
    - Older people and disabled people
- Barriers due to lack of an adequate caring infrastructure, in particular including:
    - Lack of affordable and accessible childcare
    - Lack of action to address the unequal sharing of caring and unpaid work between women and men
    - Inappropriate responsibilities accorded to young carers and barriers that result from these
    - Lack of supports for people with caring responsibilities other than childcare
    - Lack of paid leave for men with caring responsibilities and lack of take up by men of paid leave that is available
- Inadequate response to levels of emotional and behavioural problems and to mental health issues, in particular including:
    - Young people, Travellers, and Trans people
- Over-representation of some groups in prison, including Travellers, and inadequate provision for some groups in prison, including women and Trans people
- Lack of effective positive action and barriers to positive action
- Lack of role models and of peer support, and low levels of expectation

INDEPENDENCE

Independence *is about having agency, options, and choices. It involves the freedom to express and pursue preferences.*

The equality and human rights issues to be addressed in implementing the Duty, related to this benchmark and relevant to the functions of Cork ETB, are:

- Lack of choices, including due to
  - Financial barriers
  - Legal status and eligibility for supports and services
  - Lack of recognition for foreign qualifications
  - Lack of information and support on assisted decision-making for people with disabilities
  - Low level of expectations held by and about people from the identified groups
- Lack of provision of a variety in options, pathways and opportunities
- Lack of information provided and knowledge about options, pathways and opportunities
- Not seeing the different options available due to low levels of confidence, limited ambitions, and traditions

EVIDENCE BOOK

This assessment of equality and human rights is evidence-based in drawing from:

A. National Policy Strategies
B. National research
C. International and national submissions

NATIONAL POLICY STRATEGIES

The National Traveller and Roma Inclusion Strategy 2017-2022, identifies issues of situation, experience and identity in relation to Travellers.

In relation to situation:

- 13% of Traveller children complete second- level education compared to 92% in the settled community. The number of Traveller children who progress to third level education represents just 1% of the Traveller community. The majority of Travellers (70%) have only primary or lower levels of education. Over two thirds (67.3%) of Traveller children lived in families where the mother had either no formal education or only primary education.

- Many young Travellers indicate that there is very little point in staying on at school because there was no chance of gaining paid employment afterwards because of discrimination.

- Low enrolment of Traveller children in preschools.

- The All Ireland Health Study of 2010, found that 84% of Travellers during the study were currently unemployed. Census 2011 reveals that out of a total labour force of 4,144 Traveller women, 81.2% were without work.

- 80% of the Roma community are at risk of poverty.

- The average expected age of a Traveller man is 61.7 years compared to the national average of 76.8. Traveller women have a life expectancy of 70.1 compared to the national average of 81.6. Travellers have a 14.1% infant mortality rate, compared to the settled population at 3.9%.

- The suicide rate is almost seven times higher among Traveller males than in the general population.

- Based on estimates from the Irish Prison Service, the risk of male Travellers being imprisoned was 11 times that of the general male population while Traveller women were 22 times more likely to be imprisoned than non- Traveller women.

In relation to experience:

- Roma in Ireland report high levels of discrimination in a variety of situations, such as accessing accommodation, getting a job, accessing social protection and in public settings.

- Travellers are almost ten times more likely than the 'White Irish' group to experience discrimination in seeking work.

- 66.7% of service providers believe that Travellers experience discrimination in their use of health services.

- Traveller children are significantly more likely to be bullied at school.

- Over 40% of Travellers stated that they were not always treated with dignity and respect.

- Travellers stand out as a group that experiences extreme disadvantage in terms of employment, housing and health and that faces exceptionally strong level of prejudice.

In relation to identity:

- Travellers continue to experience barriers to the enjoyment of the rights to adequate and culturally appropriate housing, education, and healthcare.

- need for recognition of distinct heritage, culture and identity of Traveller and Roma communities.

- pressure on Travellers to act more like the "settled" community to avoid discrimination which leads to members having to deny their own identity.

- There are no official statistics on the number of Roma in Ireland but it is estimated to be in the region of 3,000 – 5,000.

- Irish Travellers tend to marry younger and have larger families.

The National Disability Inclusion Strategy 2017-2012 identifies or points to issues of situation, experience, and identity for disabled people.

In relation to situation:

- 31% of people with a disability are in paid employment compared with 71% of people without a disability being in employment.

- 42% of people with disabilities live in a jobless household putting them at high risk of poverty.

- People with disabilities have poorer educational participation and outcomes. 50% of people with a disability had not completed second level education compared to 22% of people without a disability.

In relation to experience:

- People with disabilities are more likely to live alone.

- People with disabilities living in congregated settings.

- Lack of information and awareness among people with disabilities about their options for supported decision making.

- Lack of training for staff working in sectors that interact with people with a disability.

In relation to identity:

- Access issues for people with disabilities in relation to public buildings, public transport, IT systems used in service provision, and outdoor facilities, absence of universal design of built environment.

- Lack of provision for Irish Sign Language users when accessing public services with free interpretation needed when accessing/availing of services.

The policy strategy [Better Outcomes Brighter Futures: The National Policy Framework for Children and Young People 2014-2020](#), identifies issues of

In relation to situation:

- A significant minority of children (15%-20%) were classified as showing significant levels of emotional or behavioural problems.

- While 92% of children complete secondary education, only 13% of Traveller children do.

- 9.7% of young people leaving school early compared to an EU average of 12.7%.

- Approximately 25% of children have special educational needs.

- The 20% of children that need additional support need early identification and intervention given that some children suffer disadvantage and damage that can cripple their capacity to learn, grow, have a healthy life and productive relationships.

- 9.3% of children lived in consistent poverty, 63% of these in jobless households. 32.1% of children experienced basic deprivation, 40% of young people aged 16-24 are at risk of poverty or social exclusion in 2011.

- Youth unemployment was 26.5% in the first 9 months of 2013. 18.7% of young people are not in education, training or employment.

- Children and young people need to have a voice in decisions made in their local communities, in their schools and in the wider formal and non-formal education system. Decision making/leadership skills of children and young people need support.

In relation to experience:

- Bullying affects the lives of thousands of school children and their families. Prejudice, including homophobia and transphobia, is a significant underlying cause of this.

- 24% of mothers reported that their 9-year-old child had been bullied in the last year, but a substantially higher percentage of children (40%) described 'being picked on' in the same period (2009).

- Gender stereotyping influencing the choice of subjects, particularly STEM subjects.

In relation to identity:

- Children and young people experience a number of key transitions in their journey from childhood to adulthood. These transitions include those from pre-school to primary school; from primary to secondary school.

- Children with special educational needs, those who speak a first language other than English and those at risk of poverty need additional supports in school.

NATIONAL RESEARCH

The 2015 ESRI/NDA report, Educational and Employment Experiences of People with a Disability in Ireland: an analysis of the National Disability Survey, identifies issues of situation, experience, and identity in relation to people with disabilities.

In relation to situation:

- In 2010, the percentages completing second level or Post Leaving Certificate (PLC) education had increased to 29% among people with a disability from 25% in 2004, and the percentage completing third-level education had increased to 19% from 12%. However, the percentage completing third-level education remained at about half the corresponding figure among people without a disability (38%). The figures confirm that though there have been improvements in levels of education generally, the levels of education remain lower for people with a disability.

- Most people with a disability have worked in the past or are currently working. While only 29%of our (working age) sample was currently in employment, a further 56% had worked at some point in the past. In addition, nearly half of those not currently in employment said they would be interested in working if the circumstances were right.

- In general, the level of current employment was low for working-age people with a disability at 29%.

- An unmet demand for employment (i.e. interest in employment among those not in a job) was particularly high among younger adults, with an adjusted rate of 73% among those aged 18 to 34 compared to 37% among those aged 45 and over.

- In terms of main types of disability, people with hearing disability and those with learning disability are most likely to be at work, with figures of 57 to 58%. The proportion in employment is lowest for people with mobility and dexterity disability, pain disability and EPMH disability (all in the 22 to 24% range). The percentage in employment is at an intermediate level for those with intellectual disability (38%).

- Younger people with a disability are more likely to have never worked: about one-third of those aged 18-34 compared to only 7% of those aged 55 to 64. On the other hand, older people with a disability are more likely to have left work because of their disability: over half of those aged 55 to 64.

- Work experience is associated with education. Among those with third-level education, only 7% were never in employment. Over half of those with third-level education are in employment, compared to 37% of those with upper second-level education and 22% of those with lower second- level education.

- 15% of working-age people with a disability – or half of those affected while still in education – left school sooner than they would have liked because of the disability. About one in six of working-age people with a disability …lost some time in school or college because of a disability … nearly one in ten missing a year of more of education.

- People with certain types of main disability are more likely to have been affected by disability while in school, especially intellectual disability (92%), learning disability (80%) and speech disability (64%).

- Adult education and training are likely to be important to people with a disability, though for reasons that are different depending on whether the disability is early onset or later onset. Adult education is important to people with early-onset disability because this group tends to have left school with a lower level of qualifications than those whose disability does not emerge until later in life. Among those with later onset disability, the high proportion leaving a job because of their disability suggests that at least a proportion of this group will need retraining for a different line of work.

In relation to experience:

- Research shows that children with disabilities and special educational needs face considerable barriers in engaging with their school work and their peers in school and are more likely to dislike school.

In relation to identity:

- Some people with a disability may require services or aids to make it possible for them to take up employment. Findings show that unmet needs for services or devices may be a barrier to employment, but their significance as a barrier varied by type of disability.

- The general supports people reported that they needed (or would need) in order to be able to work included: flexible work arrangements such as reduced hours (46%); modified job tasks (29%); accessibility modifications (32%); and a wage subsidy (24%).

- There may be a common factor behind peoples' need for a wage subsidy and the presence of unmet needs: both of these could arise because there

are additional costs of disability that are not fully covered by existing supports.

- Men and women with a disability were equally likely to have been in employment at some point in the past and were equally likely to have left employment because of a disability. However, women were more likely to have left for other reasons, so that fewer women with a disability were currently in employment.

- Women are more likely than men to complete second (ratio of 1.43) and third level (ratio of 1.42).

The 2017 ESRI report, A Social Portrait of Travellers in Ireland, identifies issues of situation, experience and identity in relation to Travellers.

In relation to situation:

- Travellers stand out as a group that experiences extreme disadvantage in terms of employment, housing and health. Travellers were about 19 times more likely than non-Travellers to not be at work.

- Travellers are more likely to have left school at an early age, with 28% of Travellers over 25 years having left before the age of 13, compared to only 1% of non-Travellers.

- Only 1% had completed third level education, compared to 31% of the general population. Only 8% of travellers have completed education to Leaving Certificate level, compared to 73% of non-Travellers.

- More than two-thirds of Traveller children scored in the bottom 20 per cent for reading and slightly less than two-thirds were in the bottom 20 per cent for mathematics.

- Among Travellers aged 25–64 years, the unemployment rate was 82% for Travellers in Census 2011, compared to 17% for non-Travellers.

- Compared to non-Travellers, Travellers are much less likely to own a property outright (10% versus 30%) or to own one with a mortgage (6% versus 42%).

- Travellers are more likely than the general population to live in overcrowded accommodation (56% versus 8%).

- Despite Travellers representing less than 1% of the total population, 8.7% of the Irish prison population is represented by Travellers. The risk of male Travellers being imprisoned is 11 times that of the general male population.

Traveller women are 22 times more likely than non-Traveller women to be imprisoned.

- Travellers do not have access to the internet; only 24% have internet access compared to 82% of non-Travellers.

In relation to experience:

- Travellers have experienced very high levels of discrimination.

- Travellers face exceptionally strong levels of prejudice.

- 60% of the population in Ireland would not welcome a Traveller as a member of the family; 64% reject Travellers on the basis of their 'way of life' and 18% would deny Irish citizenship to Travellers.

In relation to identity:

- In order to combat the negative experiences of Traveller children in schools, teachers and early years' practitioners need to be provided with training on the Traveller and Roma culture, and approaches to embracing intercultural diversity should be a compulsory component of initial education and continuous professional development. Traveller and Roma culture and history should be embedded in the formal curriculum

- Half (52%) of Irish Travellers are aged under 20 years of age. Only 2.3% are over 65.

- Travellers have a higher rate of disability than the general population. 12% of Travellers are unable to work due to illness or disability, compared to 5% of non-Travellers.

- Traveller women still remain very disadvantaged in educational terms, with an estimated 92 per cent leaving school without having completed second level. The figure is 95 per cent for Traveller men.

- The number of Irish Traveller women who recorded their principal economic status as looking after the home and family in Census 2011 was nearly twice the rate of the general population, at 33% compared to 17.5%.

The 2019 School Climate Survey: the experience of lesbian, gay, bisexual and trans young people in Ireland's schools report by BelongTo Youth Services & Teachers College, Columbia University identifies issues of situation, experience and identity for LGBT people.

In relation to situation:

- There is a rise in LGBTI+ students skipping school (30%) to avoid negative treatment due to their LGBTI+ status. This is 27% higher than other students.

- 66% of LGBTI+ students progress to 3rd level education, compared to 74% of heterosexual students.

In relation to experience:

- 77% of LGBTI+ students are verbally harassed due to their sexual orientation, gender, gender expression or ethnic origin.

- 73% of LGBTI+ students feel unsafe at school.

- 68% of LGBTI+ students reported hearing homophobic remarks from other students and 50% of LGBTI+ students are bothered or distressed by these.

- 48% of LGBTI+ students reported hearing homophobic remarks from teachers or other staff members, and 55% reported hearing transphobic remarks from teachers or other staff members.

- PE, bathrooms, locker rooms and lunch areas are the spaces where LGBTI+ students habitually avoid due to feeling unsafe.

- 19% LGBTI+ young people experienced physical assault at school. 43% were sexually harassed at school.

- 38% were physically harassed at school (Pushing and shoving)

- 86% felt excluded by their peers.

- 74% experienced being the subject of rumours or lies.

- 39% experienced cyberbullying.

- 49% of LGBTI+ students felt lonely at school and 49% were unable to make friends.

In relation to identity:

- 1 in 3 LGBTI+ students reported that other students are intolerant of their identities.

- 68% of LGBTI+ students were never taught anything positive about LGBTI+ people at school. SPHE (23%), English (7%) and History (6%) were the subjects where students were most likely to encounter positive representations of LGBTI+ identities.

- 78% of students are never taught about LGBTI+ bullying in school. Only 29% of anti-bullying policies mentioned LGBTI+ bullying.

- Including LGBTI+ related issues in the curriculum means students are 26% more likely to feel accepted by the student body, 20% more like to feel likely they belong at school and 9% more likely to not to miss days of school due to feeling unsafe.

The 2018 Pavee Point and Department of Justice report: [Roma in Ireland A national needs assessment](#), points to issues of situation, experience and identity for Roma.

In relation to situation:

- 16.7% of respondents reported that they are in employment.

- 19.8% of respondents reported that they do not have a PPS number which is vital for accessing a wide range of services, including applying for a medical card and social protection.

- 20% of respondents are living in extreme poverty, completely marginalised from services and supports, and in sub-standard overcrowded accommodation. In 50% of the households with children, respondents reported that they do not always have enough food. Beyond this, 60% of respondents still reported experiences of consistent poverty, including not always having enough fuel, food or heat. 12.4% of respondents do not have a kitchen. 9.6% do not have a cooker and 13.5% do not have a fridge.

- 48.1% of respondents who had applied for social protection were unsuccessful. In this context 17.6% of adults reported begging as their source of income and 14% reported having no income. A lack of access to social protection was also identified as a barrier to accessing women's refuges for women experiencing domestic violence.

- 37.8% of Roma adults in households had never been to school. This was particularly marked for women with 41.1% of women having never been to school, while 22% of men had never been to school.

- Significant challenges to the participation, attendance and attainment of Roma children in the Irish education system were identified by respondents. In 25% of households, respondents reported that children have gone to school hungry

- Experiences of poor health are linked to poverty, which can be linked to a lack of access to education and employment.

- Serious child welfare concerns emerged as an issue for both respondents and statutory service providers. Service providers reported cases of malnutrition among young Roma children.

- Nearly half of respondents reported that they do not have access to medical cards and GP care. The high cost of health care means that Roma cannot access the care they need. 24% of women had not accessed health services while pregnant and their first point of access was to give birth.

- Almost one fifth of respondents described their health as poor.

- 51.3% of respondents reported more than 14 days of the previous month when their mental health was not good.

In relation to experience:

- The major barriers that respondents identified in accessing services are not being eligible for supports such as medical cards, training and employment schemes, homeless supports, or social protection payments. This was either due to not having the right to reside or not meeting the habitual residence condition.

- Barriers outlined by respondents were lack of documentation to prove residency, language barriers, not knowing about services or how to access them, and experiences of discrimination.

- The research finds a high prevalence of experiences in relation to discrimination, identified by most respondents. 26% of Roma surveyed across Europe said that they had experienced discrimination in the past 12 months because of their ethnic background.

- Respondents reported feeling discriminated against at both an institutional and individual level. The highest rates of perceived discrimination were reported in accessing accommodation (93%) and social protection (84.3%). 78.9% of respondents reported feeling discriminated against in getting hired or getting a job. 81.1% of respondents also reported experiencing racism and verbal abuse in public spaces with women being identified as particularly vulnerable.

In relation to identity:

- 61% of respondents reported usually speaking Romani at home. This was followed by Romanian at 14.3%, Czech at 10.4%, English at 9.7% and Slovakian at 4.5%. The research shows a low proportion of respondents are accessing professional interpreters, with the majority of respondents relying on friends and children to interpret for them.

- 71.2% of respondents reported that they have difficulty reading English forms and 66% said they had difficulty filling in English forms. In 84% of households respondents received help reading and writing in English.

- Inadequate English language and literacy supports for children and parents were also identified as issues, as were parents' own experiences in education including discrimination, segregation, and low educational attainment.

The 2019 IHREC and ESRI report on [Caring and Unpaid Work in Ireland](), points to issues of situation, experience and identity for Roma.

In relation to situation:

- Demographic change in the form of the ageing population and policy shifts towards greater care in the community for older people and those with disabilities, create a greater demand for informal care.

- Ireland has the third highest rate of unpaid work for both women and men in Europe, and the gap between men and women, at 15 hours per week, places Ireland very far down the league table within the EU28 (in 2016).

- Over half of those carrying out unpaid care work are juggling these responsibilities with employment, and women who complete more carer hours than men, are overrepresented in the cohort of employees who avail of reduced hours in order to facilitate care and unpaid work.

- 45% of women and 29 % of men provide care for others on a daily basis (childcare and/or adult care). In carers aged 35yrs to 49yrs; 50% of men and 75% of women provide care for others on a daily basis. Overall, we find that 55 % of those regularly providing care are in employment: 45 % in the case of women and 72 % in the case of men. With women providing 7.2 more hours of care than men.

- Average time ≥16 hours a week (10.6 hours for men, 21.3 hours for women) with 33% of time recorded involving caring for children compared to 8% of the time in the care of elderly.

- Childcare seems to occur at minimum once a week, with the average time spent being 35.2 hours (25.2 hours for men and 42.6 hours for women providing the care). These figures represent five times more hours spent in childcare than care for the elderly. Adult Care occurs with an average time of 19.4 hours a week (18.8 hours for men providing the caring and 19.8 hours for women carers).

- In relation to housework, women do on average 20 hours a week while men do approx. 7 hours per week. Additionally, having preschool children increased household chores hours by an average of 7.9 hours per week: adding 11 hours for women and 6.5 for men in two parent households.

In relation to experience:

- Regardless of advances in recent years, including increased participation by women in the workplace, we have yet to see adequate supports for caring and unpaid work.

- Greater recognition of the importance of and need for 'Carer time', is needed in the organisation of employment through access to, for example, flexible work practices and greater access to paid leave schemes for men.

In relation to identity:

- The division of paid and unpaid work is strongly gendered and this asymmetry is also evidenced in the effects of partners' employment, i.e., having an employed partner increases care time for women but not for men.

- Nor, crucially, have we yet seen adequate measures to reconfigure the gendered nature of care work, and to create the conditions to encourage men to take on more of such work, as men do provide care service but are not traditionally identified as doing so.

- Caring and unpaid work, housework, are not recognised, truly valued, and equally shared as it is in Scandinavian countries; consequently, policymakers in Ireland need to create a new way of looking at this in order to address these issues.

- Policies to encourage men to take on caring responsibilities are underdeveloped.

The 2016 GLEN and BeLonGTo report, LGBTI Ireland report- national study of the mental health and wellbeing of lesbian, gay, bisexual, transgender, and intersex people in Ireland, identifies issues of situation, experience and identity for LGBTI people.

In relation to situation:

- While between 50-60% of the sample recorded no or very few indicators of depression, anxiety or stress on the DASS-scale, the findings still support the dominant narrative, both internationally and in Ireland, that a significant proportion of LGBTI people experience mental health difficulties. Across

LGBTI groups between 12-35% of participants recorded scores indicating severe or extremely severe depression, anxiety, and stress.

- LGTBI not a homogenous group e.g. bisexual (54.5%) and transgender participants (48.8%) were more likely to have self-harmed compared to gay males (19.5%). However, both lesbian/ gay females and intersex participants also had relatively high levels of self-harm (37.4%, 42.1% respectively). A significant majority (63%) of participants who had self-harmed had thought about it for less than 24 hours.

- Almost 60% of the sample had seriously thought of ending their own life, with approximately 45% having thought of doing so within the past year. 60% reported that their suicidal thoughts were at least somewhat related to their LGBTI identity.

In relation to experience:

- Study findings suggest that LGBTI people continue to experience incidents of victimisation, discrimination and harassment outside of school: 75.2% reported that over their lifetime they had experienced being verbally hurt, with approximately one fifth of participants having experienced physical attacks due to being LGBTI. Gay male, transgender, and intersex participants appeared particularly at risk in this regard.

- Findings indicated that being bullied in school because of LGBTI identity exerted a strong influence on the onset of mental health difficulties for young people. Study participants (14-25 years old) who experienced LGBTI bullying in school had significantly higher scores on the depression, anxiety, stress, and alcohol use scales indicating more problematic alcohol use. They also had significantly lower scores on the self-esteem scale. In addition, they were more likely to self-harm, more likely to have seriously considered ending their life, and more likely to have attempted to take their own life than those who had not experienced LGBTI bullying in school.

- In terms of public attitudes, 15% of the sample thought that using LGBT slang words 'isn't really a big deal', 13% did not think that making fun of a young person in school because they are LGB is harmful, and 28% of participants felt that bullying is a normal part of growing up and school life.

- In terms of public attitudes, participants' comfort levels decrease around public displays of same-sex affection, with a greater percentage of participants indicating discomfort with a male couple kissing (39%) and a female couple kissing (30%) compared to a heterosexual couple (17%) kissing in public.

- Given the high incidences of harassment across the board it is not surprising that participants felt unsafe or very unsafe when showing public affection (53%) or holding hands with their partner (47.1%), with between 25% and 33% having some level of fear around being seen going to or leaving an LGBTI club or venue, reading an LGBTI publication in a public space, or checking an LGBTI website on a public computer.

- Approximately 60% of the transgender participants reported feeling unsafe to express their gender identity in public.

In relation to identity:

- There is misinformation in the public domain about LGBT orientation.

- Need for reforms to the education system regarding increased awareness and visibility of LGBTI identities in schools.

- Need to build the knowledge and skills of professionals and service providers.

The 2018 ESRI and IHREC report: Disability and Discrimination in Ireland: Evidence from the QNHS Equality Modules 2004,2010, 2014, identifies issues of situation and experience for people with disabilities.

In relation to situation:

- People with disabilities are more likely to be in poverty and outside the labour force.

- The labour market participation of people with disabilities remains far lower than participation rates in the general population, even when controlling for age and other personal characteristics.

In relation to experience:

- People with disabilities experience higher rates of discrimination than people without disabilities. On average, 15% of people with disabilities experience discrimination compared to 11% of those without a disability.

- Our findings show that when people with disabilities are looking for work, or in the workplace, the odds of experiencing work-related discrimination was twice as high compared to those without disabilities.

- Focussing on discrimination in the public services (such as education, health, transport), the findings also show that people with disabilities were three times more likely to experience discrimination compared to those without disabilities.

- People with disabilities are more likely to suffer adverse effects of being discriminated against. People with disabilities are not only more likely to experience discrimination more frequently; when they do, it has a more serious effect on their lives.

- Discrimination for people with disabilities is mostly experienced in the health services followed by the private sector (e.g. financial institutions, shops, pubs and restaurants).

- The findings point to the need for greater awareness, amongst policymakers and service providers, of discrimination against people with disabilities in accessing public services, particularly healthcare.

- Need to increase awareness among both employers and staff with disabilities of their legal obligations, entitlements and protection.

INTERNATIONAL AND NATIONAL SUBMISSIONS

The 2017 IHREC Submission to the United Nations Committee on the Elimination of Discrimination Against Women on Ireland's combined sixth and seventh periodic reports, identifies issues of situation and experience of women.

In relation to situation:

- Women, especially women from already marginalised groups, have been particularly susceptible to entrenched poverty, social exclusion and gender-based violence.

- There is a gender pay gap of 14% and a pension gap of 38% in favour of men.

- Women are prevalent in minimum wage jobs.

- Women are concentrated at middle management in the civil service.

- Women with a disability are less likely than men with a disability to be active in the labour market, and more likely to work on a part-time basis.

- 81.2% of Traveller women are unemployed.

- Training courses offered for Traveller women fail to provide sustainable progression paths and Traveller women face contexts of low expectations.

- Rural women, in particular lone parents, face barriers of access to further education and training due to lack of transport.

- Barriers to female political participation of childcare, cash, confidence, culture and candidate selection.

- Women who are incarcerated are not provided with equivalent mental health facilities /services and have no 'step-down' facilities available to them, whereas men who are Incarcerated do.

- Gender Sensitive alternatives to custody are a priority, for example females who are incarcerated need to be provided with equivalent in-house mental health and other services, for example the protection of trans women's rights, in line with the Yogyakarta Principles; as well as 'step-down', halfway houses and open prison facilities.

In relation to experience:

- Gender-based violence (rape, sexual assault, sexual abuse, sexual harassment, and domestic violence). Limited accessibility and availability of support services for victims of domestic violence. Growing number of homeless women and children due to domestic violence.

- Lack of protection of undocumented women from violence and hate crimes

- Inadequate access to counselling services that are adequate for the needs of those in Direct provision, victims of gender-based violence.

- Women experience pregnancy-related workplace discrimination with job offers rescinded, reduced hours, negative impact on performance rating, and lack of promotion. Pregnant students can be prevented from continuing their education during pregnancy.

- Trans women experience high levels of discrimination in employment for expressing trans identity.

- There is gender segregation, based on gender stereotyping in the choices made in relation school subjects by boys and girls.

- Active and ongoing educational and awareness-raising measures are required to address sexism and gender stereotyping.

The 2019 IHREC submission, Ireland and the Convention on Racial Discrimination, Submission to the United Nations Committee on Racial Discrimination on Ireland's Combined Fifth to Ninth Periodic Report, identifies issues of situation, experience and identity in relation to Black and minority ethnic groups, including Travellers.

In relation to situation:

- Census 2016 demonstrates that the level of education among Travellers continues to remain well below that of the general population throughout school, with just 13.3% of girls from the Traveller community being educated to upper secondary school or above compared with 69.1% of the general population. In 2016, nearly 6 in 10 Traveller men (57.2%) had left school at primary level, in sharp contrast to the general population (13.6%).

- Research has indicated a pattern of segregation with students from minority ethnic groups being more likely to attend large urban schools that are less likely to be oversubscribed and have a concentration of students who experience socio-economic disadvantage.

- Research has highlighted school attendance and completion rates as an issue for the Roma community

- In Irish primary schools, there are significant gaps in the reading proficiency between children whose mothers were born in Ireland and those whose mothers were born in Eastern Europe, Asia, and Africa.

- The 2018 Monitoring Report on Integration reports that the employment rate of 'African nationals' is 45%, compared to an average of 70% for other minority national groups.

- In 2016, the unemployment rate for Travellers was 80.2%, compared to 12.9% for the general population. Census 2016 also highlighted that only 10.1% of Traveller women and 12.6% of Traveller men list their principal economic status as 'at work'.

- There is a lack of representation of people from minority ethnic groups in employment across the public sector.

- There is a diversity gap between the student and teacher populations in Ireland, with over 99% of entrants to primary teacher education identifying as 'White Irish Settled'. Furthermore, only 2% of secondary school teachers come from minority ethnic backgrounds

- Concerning training opportunities, there is no nationally collected data on the participation of minority ethnic groups in apprenticeships.

- A recent review of the apprenticeship programme reported that 85% of apprentices in 2018 were young men under 25 years of age. There were no examples cited by participants of apprentices with a Traveller background and only a few known cases of apprentices with a migrant background.

- The data demonstrates that the consistent poverty rate for people who do not identify as being an Irish citizen or national is significantly higher than the general population (12.7% compared to 8.2% respectively).

In relation to experience:

- Compared to 'White Irish' respondents, 'Black' people are three times more likely to experience discrimination in access to public services.

- Second-generation minority ethnic Irish people are reported as experiencing particular racism, including being specifically targeted with online racial abuse due to their perceived lack of any 'biological' or 'ethnic' connection to Ireland.

- Other available research indicates that 90% of Travellers have experienced discrimination over their lifetime, while 77% experienced discrimination in

the previous year. Compared to 'White Irish' respondents, Travellers are almost ten times more likely to experience discrimination in seeking work.

- In recent research conducted with the Traveller community, 40% of respondents indicated that either they or their children had been bullied at school due to their Traveller identity; 76% of respondents also reported that Traveller culture is not visible in the school curriculum.

- The 2018 study, Ethnicity and Nationality in the Irish Labour Market, found that, in comparison to 'White Irish' people, Black people of Irish nationality were twice as likely to experience discrimination when seeking employment and 3.4 times as likely to experience discrimination in the workplace. Black people of other nationalities were five times more likely to experience discrimination when seeking employment, and over 2.5 times more likely to experience discrimination in the workplace

- 'Children from immigrant families' also experience greater difficulties when transitioning to second-level education, and are less likely to have large groups of friends and are more socially isolated than their Irish peers.

In relation to identity:

- In the 2017/2018 academic year, 95.8% of primary schools in Ireland had a religious patron.

- Victims of racism in Ireland report experiencing both physical and mental health issues, including anxiety, depression, and nausea. They also report a lack of confidence in occupying public spaces and engaging with strangers, as well as fears for their other family members

- The ongoing barriers faced by migrants, refugees, and asylum seekers who wish to pursue education or training in Ireland include the lack of availability of affordable childcare and transport, the uncertainty or short-term nature of their visa or residential status, the lack of recognition of their existing qualifications, and the limited availability of beginner or upskilling English language classes

- Parents, young people, and education providers participating in a recent study identified language as the biggest educational issue, including due to the inadequate resourcing of English language support.

- Many Roma children face significant financial barriers to education and are often deemed ineligible for supports, such as the Back to School Clothing and Footwear Allowance, due to the Habitual Residence Condition (HRC).

- A lack of information and guidance was identified as a disadvantage to prospective apprentices, particularly where they have no contact in the community to support them in identifying opportunities and navigating the system.

- The recognition of qualifications acquired abroad is an issue. A European directive on the recognition of foreign qualifications only applies to people from the EU, and there are often lengthy and complicated procedures.

- In addition to the barriers faced in accessing employment, minority ethnic groups are often confronted with issues in the workplace such as precarious contracts, a lack of progression, unequal treatment, and exploitation.

- Unavailability of disaggregated statistical data on the issues faced by Black and minority ethnic groups in Ireland, Irish data collection instruments do not collect information on ethnicity as standard.

The 2017 IHREC Submission to the Citizens' Assembly: 'How we respond to the challenges and opportunities of an ageing population' identifies issues of situation, experience and identity in relation to older people.

In relation to situation:

- The gender pension gap is currently 38% in Ireland. Women are less likely to be in receipt of either an occupational pension or a contributory State pension due to the increased likelihood of career interruptions. Interruptions to a woman's career are often due to caring responsibilities.

- Women over the age of 65 are more likely to depend on the social security system as their primary source of income in the form of a non-contributory pension.

- Research has demonstrated that home and community-care services remain under-developed in some Western European countries, including Ireland.

In relation to experience:

- In 2013 the National Positive Ageing Strategy reported that the prevalence of elder abuse in Ireland was 2.2%. The prevalence of elder abuse in other developed countries is between 3 and 5%.

- Concern has been expressed about legislative clarity related to the deprivation of liberty in nursing homes and other care and residential accommodation.

- Ageism, like many other forms of discrimination, persists. In a study published by the Equality Authority, ageism was described as involving 'an interlinked combination of institutional practices, individual attitudes, and relationships. Institutional practices include the use of upper age limits in relation to health and motor insurance and it has been said that these contribute to the marginalisation of older and relationships. The Commission has also received numerous representations from individuals and advocacy groups about the range of human rights and equality issues facing older persons in Ireland, including access to information and transport.

In relation to identity:

- The gendered nature of ageing means that women tend to live longer than men, and that more older women than men live alone.

- Age discrimination can be compounded by other factors including race, gender and disability.

The 2021 IHREC Submission to the UN Committee on Economic, Social and Cultural Rights for the List of Issues on Ireland's Fourth Periodic Report, identifies issues of situation, experience, and identity across a number of the identified groups.

In relation to situation:

- The consistent poverty rate was 5% in 2020, the 'at risk of poverty' rate was 13.2% and 15.6% of the population experienced enforced deprivation.

- Gender pay and pension gaps stand at approximately 14%, and 38%, respectively.

- Minority ethnic groups are over-represented among those living in consistent poverty, and have been found to experience cumulative disadvantage and discrimination in accessing education, employment, housing, and other areas such as social assistance.

- Research has found evidence that women, lone parents, young people, migrants, ethnic minorities including Travellers, and disabled persons experience significant barriers in meeting their right to decent work.

- Ireland continues to have amongst the lowest employment rates for disabled persons in the EU (32.2% compared to 50.6% in the EU in 2017)

- Significant barriers also remain to achieving parity of access to education and healthcare for disabled persons.

- Women are significantly over-represented amongst employees who avail of reduced hours in order to facilitate the combination of care and paid work, contributing to gender inequality in the labour market. The provision of support for combining paid and unpaid work remains well behind that seen in Scandinavia and other European states, and is not commensurate with the dramatic rise in women's paid employment in Ireland.

- Inequality in access to education, educational segregation and the potential gap in educational outcomes among ethnic minority young people.

In relation to experience:

- Racist attitudes can be found across Irish society and across all social classes,62 and that Travellers and Black people experience particularly high rates of labour market discrimination, both when seeking work and in the workplace. The Commission also highlights that racism is experienced in different ways and to different degrees, often intersecting on multiple grounds of discrimination, including religion, age, disability, gender, sexual orientation and socioeconomic status.

- Travellers continue to experience systemic discrimination in employment, education, health, and housing, with many living in poverty.

- Significant barriers to the enjoyment of equal rights for disabled persons remain, pointing to structural and institutional ableism across Irish society.

In relation to identity:

- Funding and infrastructure are required to preserve and develop Traveller culture and identity.

The 2015 IHREC submission, [Ireland and the International Covenant on Economic, Social and Cultural Rights](#), identifies issues of situation, experience and identity for a number of the identified groups.

In relation to situation:

- Despite being more educated than men, women experience lower employment participation rates and continue to be employed in less senior positions than men.

- Significant growth of youth unemployment. People with disabilities are more likely to be unemployed or only work part-time. Higher unemployment level for migrants than for Irish nationals.

- Lack of adequate and affordable childcare options.

- Lack of women in leadership roles. Women form almost two-thirds of the civil service workforce, while the vast majority of better-paid senior positions at the top four civil service grades are filled by men.

- Traveller children continue to experience difficulties in accessing certain schools. The numbers of Travellers educated to lower secondary level rose from 15% in 2002 to 22% in 2011. 3.6% finished Secondary school in 2006 and 8.2% in 2011.

- Children with Disabilities or Special Educational Needs are often excluded from some school on the basis of criteria contained in the schools admissions policy. The majority of children with disabilities attend mainstream education, classes or schools, although the percentage attending special education settings increases as they move to secondary education. Children with disabilities from socio-economically disadvantaged backgrounds are more likely to be placed in special education.

- Cost of living for those with disabilities is one third higher than that of the general population social welfare payments do not reflect these additional expenses.

In relation to experience:

- A number of issues arise in the context of the right to non-discrimination in the field of education including, issues related to three of the nine specific equality grounds: religious status, membership of the Traveller community and disability.

- Some publicly funded schools put in place 'soft' barriers to discourage enrolment 'by advising parents that a different school is more 'suitable' for their child or has more resources for supporting students with special educational needs'.

- Children from socio-economically disadvantaged backgrounds are more likely to be placed in special education' outside of mainstream educational institutions.

- In the 2013–2014 academic year, 11 per cent of primary school students and 12 percent of post-primary school students were migrant children. A Department of Education and Skills census carried out for the same academic year indicated that 80 per cent of migrant children were concentrated in fewer than 25 per cent of schools.

- Human rights education does not form part of the overall educational framework

In relation to identity:

- 96 per cent of the State's primary schools fall under religious patronage, with 90 per cent of these owned by the Roman Catholic Church; the remaining four per cent are described as multi-denominational.

VALIDATION MEETING

A validation meeting was facilitated with civil society representatives to review a draft of the assessment of equality and human rights issues. This was an online event hosted on 17th January 2023 from 3.00pm to 4.30pm.

A series of amendments were proposed from the meeting. The working group met to consider these and accepted all proposed amendments. Participants of the validation meeting were informed of this outcome.

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Oiliúna Chorcaí

*Cork Education and
Training Board*

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