

RESPONDING TO RACISM

GUIDE

HOW TO REPORT RACISM AND
WHERE TO FIND HELP



Ireland
Working
collectively
to eradicate
racism
in Ireland

RESPONDING TO RACISM GUIDE

HOW TO REPORT RACISM AND WHERE TO FIND HELP

Published by ENAR Ireland (2019)

Researched and written by Aga Więsyk, ENAR Ireland

Report racism to www.iReport.ie

Racism:
see it
send it
end it.
www.iReport.ie



NOTE: Although every effort has been made to ensure the accuracy of all information, we cannot accept any liability or responsibility for errors or omissions. We have aimed to provide as much detail as possible regarding the services available and the existing legislation. However, from time to time contact details, the law, policies etc may change, so it is advisable to contact relevant organisations directly for up-to-date details. Inclusion in this publication is not a guarantee of standard, nor does it mean that any service or organisation is endorsed.

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A WORD FROM THE PRESIDENT

"Diversity is a source of richness and from genuine engagement with diverse voices innovative and original thinking can emerge. For this to happen we must go beyond simply tolerating, acknowledging or accepting diversity, of course, and work for the kind of society where each citizen realises their unique potential and contributes meaningfully to society. Racism can express itself openly in verbal assaults and in racist attacks of course but also through the policies and services of our institutions when they fail to accommodate and respond appropriately to the needs of a particular section of a population. This is why the work of all those who combat racism is so important: it seeks to embed respect for the value of each individual at the heart of our interactions, at the heart of our society. We must all work together to create an Ireland in which diversity is genuinely celebrated and difference is not just tolerated but welcomed as the foundation of a just society, rich in creative potential."

*Michael D. Higgins
President of Ireland*



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FOREWORD

Responding to Racism Guide provides an accessible and comprehensive guide for victims and witnesses of racism on how and where to report it and find help. It is a useful and timely supplement to ENAR Ireland's widely and rightly acknowledged iReport.ie process and gives further focused information on seeking to begin the process of redress. The experience and effects of racism are many-sided and difficult.

Reporting such discrimination and trauma is difficult in itself and needs not to be made more so by further difficulties in the reporting process. The complexities, pitfalls and possibilities of this process are clearly laid out here on a step by step basis which can help prospective users see a roadmap through what might otherwise remain an impenetrable maze. I thank ENAR Ireland for undertaking this work and commend all involved for their efforts.

By signing, ratifying and reporting under the International Convention for the Elimination of all Forms of Racial Discrimination (ICERD) Ireland has agreed that racism on purpose and/or in effect needs to be eliminated and that its elimination and the promotion of a racism free Ireland is a key responsibility of the Irish State in fulfilment of its international human rights responsibilities. Ireland's obligations under the EU Equality Directives and Decisions, also Council of Europe Conventions, as well as our own laws provide further essential basis for protection against this insidious institutional and interpersonal discrimination.

As Chairperson and a member of the Committee for the Elimination of Racial Discrimination responsible for monitoring global implementation of the ICERD, I was very conscious of the need for good data in support of that struggle. For issues to be addressed, their extent and nature as well as who is experiencing them needs to be known. Racism is intersectional e.g. women and men experience it differently and these intersectionalities need to be made visible. Reporting racism has therefore a crucial role to play both for current redress and for creating the case for improved future legislation e.g. in the area of racist crime. All who report, whatever their residency status in Ireland need to be protected from reprisal of any sort for their courage, and the right to report needs to be promoted and supported. This publication has an important role in these areas.

Anastasia Crickley
Vice-President International
Association for Community
Development
Senior Lecturer Emeritus, Dept.
Social Studies, Maynooth
University, Ireland

Formerly, Chairperson UN
Committee for the Elimination of
Racial Discrimination.

As the global climate which has legitimated putting “our” fears against “their” rights begins to have a more visible Irish face in increased actions and discrimination against marginalised minorities including refugees, migrants, Travellers and Roma this publication also has an urgent function helping promote visibility as a basis for addressing this. Reporting is a means to an end and even reporting seeking redress as is explained here may well require further action.

I wish ENAR Ireland and all concerned with such action for a society where the right to be free from discrimination for all is not just acknowledged but realised the continued courage this struggle needs and the success it deserves.



A WELCOME BY THE CHAIR OF ENAR

In an era when access to information is accelerating and all around, it can be easily assumed that all have equal access to information which is clear, consistent and easy to engage with. However when it comes to racialised communities navigating society's procedures and systems, the truth is often more complex and nuanced.

Minorities may ask: is this a reliable source? Can I find that information in my mother tongue? Is this available in any other form than written? Can I trust them? Will they understand? Questions like these highlight the very real barriers for people, in accessing information, and in using it. It is therefore of upmost importance for service providers, community organisers and grassroots groups who are at the interface with some of the most vulnerable groups, to access and provide quality and relevant information.

By developing this resource, ENAR Ireland brings Ireland up to speed with the most creative and innovative information provision available in Europe. But this map does more than just signposting; it enables individuals to understand racism, its context and framework; in its forms and mechanics. This is an invaluable instrument for creating an analytical framework to support those who need to articulate what is often lived as emotions, feelings and impressions: "It was just a joke", "It is in your head", "I am sure they never meant to..." these lived and felt experiences are routinely brushed off, ignored or shut down. In my experience I regained real power when I was able to put words on those feelings and had my experience validated by an actual framework that exists in political terms, as well as laws and procedures...and not just in my head!

I am thrilled to see that the work produced by ENAR Ireland continues to respond to people's real needs and to fill the vacuum left by deliberate choices, made in the name of austerity, to cut vital services for combating racism.

On behalf of the European Network Against Racism, I wish this publication every success and more importantly I wish for it to be used and become a point of reference for all those combating racism and discrimination.



Amel Yacef

*Chair of the European Network
Against Racism (ENAR-EU)*

DIRECTOR'S FOREWORD

Official systems for tracking racism and discrimination do not exist in Ireland. Our institutions do not capture any ethnic data at all, however the evidence from parallel sources about the extent of discrimination continues to mount. Data¹ from ENAR Ireland's iReport.ie system over 5 years highlights habitual and extensive racism, discrimination and hate crime in a wide variety of settings. At the time of writing, an Economic and Social Research Institute (ESRI) study using Central Statistics Office (CSO) Household Survey data confirms what people from minority backgrounds know from direct experience: discrimination in Ireland is widespread and entrenched². We also know from iReport.ie data that there is ample evidence of failures in the systems intended to provide people with any form of recourse when they face racism and discrimination.

More positively, the iReport.ie data shows that the vast majority of witnesses to racism and discrimination want to know how to do more to help people who experience racism and discrimination. This finding is confirmed in the wider sense of positive disposition that people in Ireland show towards migrants and minorities, as clearly evidenced in two recently published studies by Eurobarometer³ and Social Change Initiative⁴.

At the level of everyday people, we must not miss the opportunity to harness the tremendous good will and solidarity which is offered daily and do our best to give people the tools they need. This resource will go quite some distance filling the information gap with faced by those challenging and responding to racism. It is a first step in the development of a package of multimedia resources in development by ENAR Ireland, targeted at supporting individuals and organisations at a grassroots level who wish to make those challenges. Whether they are people from minority backgrounds or their allies



Shane OCurry
Director ENAR Ireland

in wider society, we hope this resource will become part of their toolbox in the fight against racism and discrimination.

I am very grateful to ENAR Ireland's member organisations and allies for all of their expertise, help and support in the development of this resource, and for all of their feedback, corrections and advice. They are too many to name individually. I am also very grateful to our funders Pobal and the Department of Justice without whose patience and support this publication. Most of all I am extremely grateful to my colleague Aga Więsyk, ENAR Ireland's Network Development and Communications Officer, and author of this document, for her determination, patience and meticulous attention to detail in what has been a long and at times thankless process of researching and compiling this reference manual, a true labour of love which is set to become an essential resource for all of those combating discrimination in Ireland.

April 2019

ABOUT THIS GUIDE

This guide is designed as a supplement to the iReport.ie system of recording and monitoring racist incidents in Ireland. It is primarily a guide for following up on incidents by someone who has experienced or witnessed racism, and/or those supporting them. This guide provides you with information about how and where to report racist incidents, including racist discrimination, racist crimes and hate speech online, as well as how to go about finding redress and how to use existing legislation to address racism.

THIS GUIDE IS FOR:

- Those who have been subjected to racism,
- Those who have come across or witnessed racism,
- Organisations or individuals wishing to provide support to people experiencing racism.

Regardless of your background you have the right to equal access, not just to services but also to the delivery of services, free from discrimination, racism or prejudice. This means whether this prejudice or discrimination is based on your nationality, ethnic background, religion, membership of the Traveller community or skin colour, in the workplace and in access to services.

Whether you yourself have experienced racism, witnessed it happening to someone else or come across it online, it is important to take action and report it and make a formal complaint, even in cases where taking a legal route may prove challenging. However, if you believe the content or behaviour you are reporting is prohibited in Ireland, please contact relevant authorities listed in this guide, so they can accurately assess the content or behaviour for possible violations of law.

If you encounter an incident which constitutes a serious crime, or if you believe there is a serious and immediate threat to someone's life or wellbeing, we strongly encourage you to report these immediately to An Garda Síochána.

We encourage the reporting of ALL types of racist incidents to iReport.ie and relevant bodies and we hope that this guide will make this process easier and clearer for those affected.

Don't ignore racism – report it



IMPORTANT NOTES

- Unless otherwise specified, organisations listed in this guide do not have a mandate to prosecute those responsible. However, they may be in position to offer advocacy, advice and/or support services for victims and witnesses of racism.
- In many cases complaint procedures listed in this guide are not specific for reporting and addressing racist incidents. They are wider complaints procedures which can be used to find redress against racism and discriminatory treatment.
- Complaints procedures described in this publication are simplified and for a general guidance only. For a detailed complaints procedure of a particular body, always refer to the relevant website.
- The information in this publication is correct as of date of publication (April 2019). For up to date information please refer to the website of the relevant organisation.
- While every effort has been made to ensure the accuracy of this guide, it is provided for general information only and is not intended as a substitute for legal advice. ENAR Ireland does not accept any legal liability for the contents of this publication and advises people with specific legal problems to consult a solicitor or other person offering professional legal advice.



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This publication would not be possible without a support of many individuals who shared their expertise and knowledge to help us ensure the high quality of the information provided.

ENAR Ireland would like to thank our Members and the following organisations and individuals for their comments, advice and support:

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Ken McCue, Sport Against Racism Ireland (*Sport*)

Superintendent Kevin Daly, An Garda Síochána (*Reporting racist crime*)

Dr Lucy Michael, Ulster University (*Understanding racism*)

Michelle Davern, National Parents Council Primary (*Education*)

Stephen Large, Threshold (*Housing*)

ABOUT ENAR IRELAND



This guide was developed by European Network Against Racism Ireland (ENAR Ireland), a national network of over 80 organisations working collectively to highlight and address the issue of racism in Ireland. ENAR Ireland is the Irish National Coordination for the European Network Against Racism (ENAR) based in Brussels.

ENAR Ireland is today the go-to organisation for the media on racism and hate crime in Ireland and its model is regarded as an example of best practice across the EU. It leads campaigning on hate crime, reporting to intergovernmental organisations, empowering its members, providing analysis to legislators, the media and wider society, and offers a range of expertise from hate crime training to combating racism at a community level.

In 2013 ENAR Ireland launched its flagship iReport.ie racist incident reporting system, now widely cited internationally as a model of best practice for civil-society based hate-incident monitoring tools, and definitive source of reliable data on hate crime.

MEMBERS OF ENAR IRELAND INCLUDE:

#IamIrish	Cork Traveller Visibility Group
Africa-Irish Development Initiative	Cork Traveller Women's Network
Age Action Intercultural Nursing Home Project	Crosscare Refugee Service
Akidwa	Cultúr
Amal Women's Association	Culture Connect
Anti Racism Network	Donegal Fáilte Project
Association of Leaders of Missionaries and Religious of Ireland	Donegal Intercultural Platform
Association of Mixed Race Irish	Donegal Travellers Project
Balbriggan Integration Forum	Doras Luimní
Ballyfermot Travellers Action Project	Dublin City Centre Citizens Information Service
Ballymun Intercultural Group	Dublin South City Partnership
Bray Wanderers Football Club	Dún Laoghaire Rathdown Ethnic Minority Integration Forum
Cairde	English Language Support Teachers' Association
Canal Communities Regional Youth Service	Equality and Diversity Early Childhood National Network
Claire McCarthy Solicitor	Eurobug
Comhlámh	European Anti Poverty Network (EAPN) Ireland
Community Work Ireland	Fáilte Isteach (Third Age)
Cork Equal and Sustainable Communities Alliance	

Fashion Against Racism
 FÓRSA
 Galway Anti Racism Network
 Galway Traveller Movement
 Hillview Community Resource Centre
 Immigrant Council of Ireland
 Immigrant Parents & Guardians Support Association
 Ireland-Palestine Solidarity Campaign
 Irish Bahá'í Community
 Irish Council for International Students
 Irish Nurses and Midwives Organisation
 Irish Refugee Council
 Irish Traveller Movement
 Islamic Cultural Centre of Ireland
 Islamic Foundation of Ireland
 Jesuit Refugee Service
 Kells People's Resource Centre
 Kerry Against Racism
 Kerry Travellers Health & Community Development Project
 Kildare Intercultural Action
 Lir Anti Racism Training and Education Project
 Louth Minority Ethnic Consortium
 Mayo Intercultural Action
 Migrant Rights Centre Ireland
 Muslim Sisters of Éire
 Nasc, the Migrant and Refugee Rights Centre
 National Traveller MABS
 National Traveller Women's Forum
 National Women's Council Ireland
 National Youth Council of Ireland
 New Communities Partnership

Offaly Travellers Movement
 Pavee Point (Traveller and Roma Centre)
 Rialto Community Network
 ROI Against Racism
 Roma Integration Association
 SDC Partnership/ Intercultural Drop-in Centre
 Show Racism the Red Card (SRRC)
 SIPTU
 Sligo Traveller Support Group
 Smashing Times Theatre Company
 South Inner City Community Development Association
 South West Clondalkin Community Safety Forum
 Sport Against Racism Ireland
 Tallaght Community Arts
 Talk About Youth Project
 The 1895 Trust
 Union of Students in Ireland
 Unite the Union, Republic of Ireland
 Waterford Traveller Community Development Project
 Wezesha

Current list of ENAR Ireland's Network
 Members can be found at:
www.enarireland.org/membership/



Our vision, mission, values and guiding principles

Our vision: ENAR Ireland's vision is of an equal, just, inclusive Irish society free from racism.

Our Mission: As the national collective voice for building solidarity among groups challenging racism, ENAR Ireland will fight all forms of racism by providing analysis and tools to empower those who experience racism to take action.

Organisational values and guiding principles:

ENAR Ireland's work and organisational efforts are informed by core values and practice principles:

- **Autonomy:** choice, agency, freedom, self-determination and the absence of coercion.
- **Democracy:** participation, voice, empowerment and accountability from those in positions of authority.
- **Dignity:** respect, relationships of care and love, human worth and the absence of inhumane and degrading treatment, harassment and discrimination.
- **Inclusion:** a sense of belonging and community, interdependence, collective responsibility and a valuing of diversity.
- **Social justice:** redistribution of wealth, income, jobs and social goods and the absence of privilege and entitlement.



OUR IMPACT TO DATE

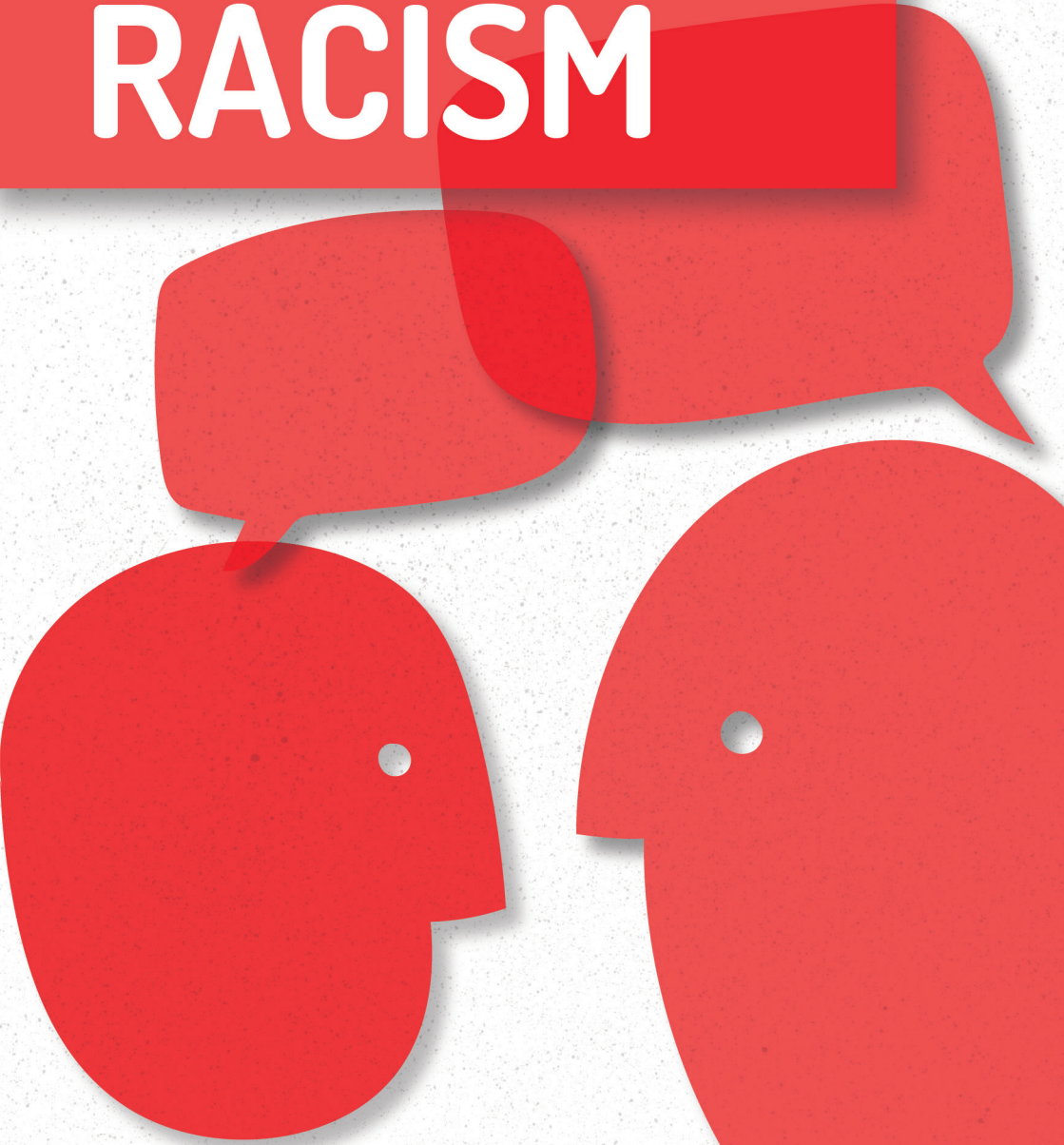
Since its inception in 1997 as the Irish Platform Against Racism, ENAR Ireland has grown into the collective voice challenging racism in Ireland and is recognised as such nationally and internationally.

ENAR Ireland:

- Has built a strong grassroots membership across the country representing over 80 organisations ensuring that the lived experiences of those who experience racism is at the heart of the work.
- Established the iReport.ie as the national independent system for recording racism in Ireland.
- Published cutting-edge reports on trends and analysis of racism in Ireland to promote policy and legislative change.
- Developed a leadership programme to ensure ENAR Ireland campaigns are led by those who experience racism.
- Led Campaigns on developing Hate Crime Legislation and ensuring all political parties signed pre-election anti-Racism electoral pledges.
- Built relationships with politicians, Government departments, civil society and other key stakeholders in discussions around racism.
- Built a strong media presence to combat racism, xenophobia and promote positive images of interculturalism and diversity in Ireland.

PART I

UNDERSTANDING RACISM





1. DEFINING RACISM

1. DEFINING RACISM

WHAT IS RACISM?

ENAR Ireland understands **RACISM** as: Any action, practice, policy, law, speech, or incident which has the effect (whether intentional or not) of undermining anyone's enjoyment of their human rights, **based on their actual or perceived ethnic or national origin or background**, where that background is that of a **marginalised or historically subordinated group**. Racism carries connotations of violence because the dehumanisation of ethnic groups has been historically enforced through violence.

In other words, racism is when an individual, group, structure or institution intentionally or unintentionally abuse their power to the detriment of people, because of their actual or perceived "racialised" background.

It's important to understand that racism is an ideology from a colonial past which "holds one race superior, while another inferior" in the words Bob Marley in his song 'War'.

The above understanding follows from international and civil society definitions:

- **International law**

The United Nations International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) defines racism as: 'Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life⁵'

- **National Consultative Committee on Racism and Interculturalism (NCCRI, 2007)**

Irish civil society organisations use the working definition drafted by the **National Consultative Committee on Racism and Interculturalism (NCCRI) which defines racism as:** 'A specific form of discrimination faced by minority ethnic groups based on the false belief that some 'races' are in essence superior to others because of different skin colour, nationality, ethnic or cultural background'.



ARE RACES REAL OR NOT?

It is often assumed that racism exists because of the presence of different “races” coming in contact with each other. However, there is absolutely no basis for thinking in terms of “races”; the notion has been disproved in genetics, biology, anthropology, geography and all of the sciences. Nevertheless, the persistence of racism and the *racialising* of groups in society means that many people still think that “race” has some sort of scientific basis. This wrongful assumption owes much to the very strong legacy of 19th Century “scientific racism”- a European colonial ideology which falsely held that the world was divided into races, with some (i.e. the European colonising powers; the so-called “white race”) being “superior”, while the people who were conquered were deemed “inferior”. “Scientific” racism also gave rise to **eugenics**.

Eugenics is the idea that it is possible to ‘improve’ humans by allowing only some people to produce children. It was most popular in the late 19th and in the 20th centuries. It informed Nazi ideology and the Holocaust but was not limited to that. There are many examples of forced sterilisation of people with disabilities and minority ethnic groups across Europe and the world even to this day.

“Race is the child of racism, not the father”.

Ta-Nehisi Coates

THE EU RACE DIRECTIVE 2000/43/CE (implemented through the Irish Equality Legislation) states that:

The European Union rejects theories which attempt to determine the existence of separate human races. The use of the term ‘racial origin’ in this directive does not imply an acceptance of such theories.

“Races” are then not real but are created and made real – by ‘racialising’ people - through historical and ideological processes in society, involving the subordination of some groups over others. This means that it is not the existence of “races” which allows racism to exist, but the persistence of the political construct of whiteness, which is at the heart of the system of racism, which continues to create and recreate “races”. It racialises people. [See: HISTORICAL RACISM for examples of racialisation →](#)

It is vital to understand and analyse racism from the perspective of power rather than prejudice (Lipsitz, 2011, pp. 40-41)⁶ to note how racial hierarchies and domination continue to be reproduced in society.



2. RACISM AS PART OF A SYSTEM OF OPPRESSION

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Racism is best understood as being an expression of a system of oppression which has its roots in a history of power and the subordination of "non-white" groups. Racism is a system which complements and operates through the other systems of oppression with which it intersects: for example, the oppression of people based on their class (economic), their gender (sexism) or their identities as LGBTQI+ people (homophobia and transphobia). The system of oppression reinforces and strengthens existing privilege. The important thing is to understand racism as a system that is much more than something performed by racists in individual acts of bigotry.

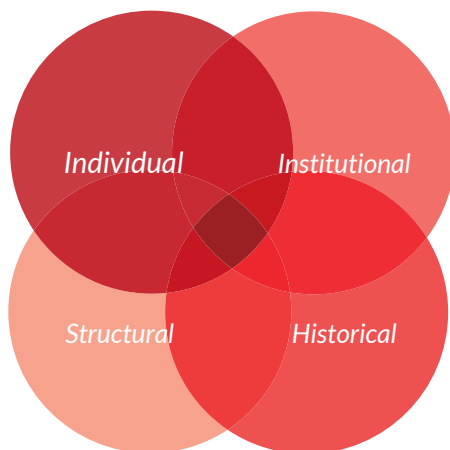
2.1. Dimensions of racism

Like other systems of oppression, racism operates through several overlapping dimensions: historical, structural, institutional and individual.

1. HISTORICAL RACISM

Definition of historical racism

HISTORICAL RACISM has to do with the specific histories of domination and subordination of groups (i.e. the *racialisation* of their relationships) in any given society. Different societies have different histories of conquest and domination, and so patterns of racialisation are distinct, if overlapping. In the US, the specific history of people of African descent means that to this day African Americans experience a distinct form of racialisation from Native Americans, from Roma in Europe and from Asians in Britain, for example. These histories impact on the



4 Dimension of racism

2. RACISM AS PART OF A SYSTEM OF OPPRESSION



position of groups in societies today because they continue to be reflected in the structures and institutions of those societies, in their laws and legacies, and in the language and cultural attitudes which persist.

Examples of historical racism

The racialisation of the Irish in history

Historically Irish people were “racialised” through the process of British conquest and colonialism in Ireland. Since Giraldus Cambrensis wrote in the 12th century, British colonial writing has labelled Irish people as drunken, as animals, treacherous, primitive, and illiterate. Dehumanising Irish people like this provided the ideological justification for the large scale violence and population displacements involved in the conquest of Ireland, the attempted erasure of its culture and language, the seizure of its wealth and the subjugation and impoverishment of its peoples, and the normalisation of the “Great Hunger” (the 1847 famine resulting in over a million dead), all done under the pretext of “civilising” the Irish.



The Iberians are believed to have been originally an African race, who thousands of years ago spread themselves through Spain over Western Europe. Their remains are found in the barrows, or burying places, in sundry parts of these countries. The skulls are of low, prognathous type. They came to Ireland, and mixed with the natives of the South and West, who themselves are supposed to have been of low type and descendants of savages of the Stone Age, who, in consequence of isolation from the rest of the world, had never been out-competed in the healthy struggle of life, and thus made way, according to the laws of nature, for superior races.

An example of 19th century scientific racism from the influential American publication Harper's Weekly which created a racial hierarchy, placing White Anglo-Saxon Protestants (“WASPs”) in the role of the “superior” race, while subordinating the Irish and then Africans as “inferior”.

This model of racist dehumanising was replicated throughout the world to justify the conquest, mass-killing, subjugation and enslavement of colonised peoples, a process which sometimes also involved the collaboration of other colonised people, including the Irish in many instances. This means that today, Irish people in many parts of the world enjoy the privileges of whiteness, while at the same time many aspects of anti-Irish racism still linger and, in some settings, some Irish people still face anti-Irish racism and discrimination.



2. RACISM AS PART OF A SYSTEM OF OPPRESSION

How did the Irish establish themselves in the white-dominated new world?

Thousands of Irish people arrived in the Americas in the 17th century having been captured, forced into indentured servitude, and shipped initially to the West Indies. This was a very brutal experience, but a distinct one from that of people of African descent. Indentured servitude was not a system of chattel slavery; servants were indentured for a fixed-term and were not owned like property. An indentured servant could always buy their freedom and in spite of their subservient status did enjoy certain human rights, in addition to their status not being passed on from one generation to the next.

These important distinctions contributed to the creation and enforcement of racial hierarchies and a prevalence of racism toward African Americans by the Irish. Irish mass migration after the Great Hunger in the 19th century initially led to impoverished Irish refugees and freed former slaves intermixing, intermarrying and living in relative harmony in places like Philadelphia, where they were held in equal disdain by their racial 'superiors'. But through a process of using the Irish in a system of organised violence to enforce segregation, the white hierarchy began the process of making the Irish acceptable into the "white" race, and all the rights that entailed, at the expense of equal treatment for African Americans. Today, Irish Americans still enjoy privileges and benefits of whiteness which African Americans do not.



Blacks and Irish were for a time held in equal disdain.

The racialisation of Travellers

Within Irish society, the continued racialisation of Travellers still bears some of the hallmarks of ancient anti-Irish racism, as well as others that are particular to the demonisation of Travellers as a nomadic group, and to the dehumanisation of all minorities.

- ➔ **More on history of anti-Traveller racism can be found on the Irish Traveller Movement page:** <https://itmtrav.ie/strategic-priorities/anti-racism-interculturalism/>
- ➔ *A Brief History of the Institutionalisation of Discrimination Against Irish Travellers (2018) by Dr Sindy Joyce:* www.iccl.ie/equality/whrdtakeover/

2. RACISM AS PART OF A SYSTEM OF OPPRESSION



The racialisation of Roma in Europe

Another example of a racialised group is Roma. “Roma” is a name used to denote a wide range of different nomadic people who inhabit Europe and other parts of the world, who are all descended from nomadic tribes who migrated from Rajasthan in northern India over 1000 years ago. Although Roma have played an important role in the development of many European cultures, trade routes and economies, they have also faced a long history of scapegoating, demonisation and oppression including multiple examples of widespread discrimination leading to persecution, segregation, enslavement, ethnic cleansing and extermination in the Nazi camps. The racialisation of Roma today continues in the form of ghettoisation, discriminatory laws and practices, widespread violence and hate crime, discriminatory policing and Eugenics-inspired practices such as forced sterilisation.

RACIALISATION

Today, many other groups of people (mostly “non-white” and non-European, but also including white-skinned groups like Irish Travellers or eastern European migrants in Ireland) still experience similar processes of racialisation. In many parts of our globalising world, migrants are racialised for being migrants. Jews are racialised for being Jews and Muslims are racialised for being Muslims.

Globally, race is one of the key bases for inequality, along with other bases with which it intersects, like gender, class and the marginalisation of LGBTQI+ and disabled people.

2. STRUCTURAL RACISM

STRUCTURAL RACISM, sometimes called **societal racism**, refers to the fact that society is structured in a way (including via cultural norms) that excludes substantial numbers of people from ethnic minority backgrounds from taking part equally in social institutions, or from having equal life outcomes in for example health, educational attainment, death rates, infant mortality rates, incarceration rates, arrest rates, employment rates etc.

The fact that Life Expectancy at birth for male Travellers is 15.1 years less than men in the general population, is an example of structural racism. The fact that 16% of Africans living in Ireland are out of work, compared with 4% of people from western European countries, is another.



2. RACISM AS PART OF A SYSTEM OF OPPRESSION

3. INSTITUTIONAL RACISM

INSTITUTIONAL RACISM refers to forms of racism expressed in the *practice* of social and political institutions; to the way institutions discriminate against certain groups, whether intentionally or not, and to their failure to have in place policies that prevent discrimination or discriminatory behaviour.

It can be found in processes, attitudes and behaviours which lead to discrimination through unintentional prejudice, ignorance, thoughtlessness, unconscious bias and racist stereotyping which disadvantages ethnic minority people. Institutional racism relates to the entire institution, including people.

Structural and institutional racism create the conditions that make forms of individual racism seem normal and acceptable, making discrimination and violence more likely.

4. INDIVIDUAL RACISM

INDIVIDUAL OR “INTERPERSONAL RACISM” is the term which covers the forms of racism which most people commonly understand as racism because they are the most visible forms. It covers all interactions or behaviour between individuals that are racist or have racist content. The term **interpersonal racism** covers a range of types of **racist incident**, from “**microaggressions**” to racist name calling and **racial bullying and harassment**, to **discrimination** and **racist hate crimes**. Although incidents of interpersonal racism will be the most commonly recognised forms of racism, they happen because of the wider context of the historical, institutional and structural racism of society. The impacts they cause are magnified because they reinforce and are reinforced by the wider structures of racism.

- “**Microaggressions**”: these are comments or actions that subtly and sometimes unconsciously or unintentionally express a prejudiced attitude toward a member of a marginalised group. While any single one of these incidents may seem relatively minor, if they are part of a pattern or taken in the context of other forms of racism they can have a corrosive effect on the person on the receiving end. They can make someone feel uncomfortable or unwelcome, or worse. Examples of microaggressions include being constantly asked “where are you from?”, or “can I touch your hair?”.

2. RACISM AS PART OF A SYSTEM OF OPPRESSION



- **Racist discrimination** refers to the practice of treating a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their real or perceived “racial”, national, ethnic or cultural backgrounds. This generally occurs in the context of an employment setting or in the accessing of goods or services [See: 3.1. DISCRIMINATION AND THE LAW →](#). Racist discrimination can frequently be an act of **individual or interpersonal racism**, but if an organisation’s culture or policies fail to prevent acts of racist discrimination, this can be said to be an example of **institutional racism**.
- **Racist hate crimes** are crimes in law that are committed against people, that have been at least partially motivated by a bias against them because of their real or perceived background. Hate crimes have two elements; 1) they are ordinary crimes in law 2) they have been motivated (at least in part) by bias. [See: 2.1. DEFINING HATE CRIME for more information →](#)

THE COALITION AGAINST HATE CRIME

Irish law does not as yet fully recognise hate crime or hate speech as a criminal offence, however ENAR Ireland, as part of the Coalition Against Hate Crime, is working hard to change this. For more information visit our website at www.enarireland.org/hatecrime.

- **Racist hate speech:** Hate speech covers all forms of expression which spread, incite, promote or attempt to justify any form of hatred, stereotyping or discrimination that is based on intolerance. Racist hate speech includes intolerance of people based on their real or perceived “racial”, national, ethnic or cultural backgrounds (including Travellers and Roma), or their real or perceived religious identity.





2. RACISM AS PART OF A SYSTEM OF OPPRESSION

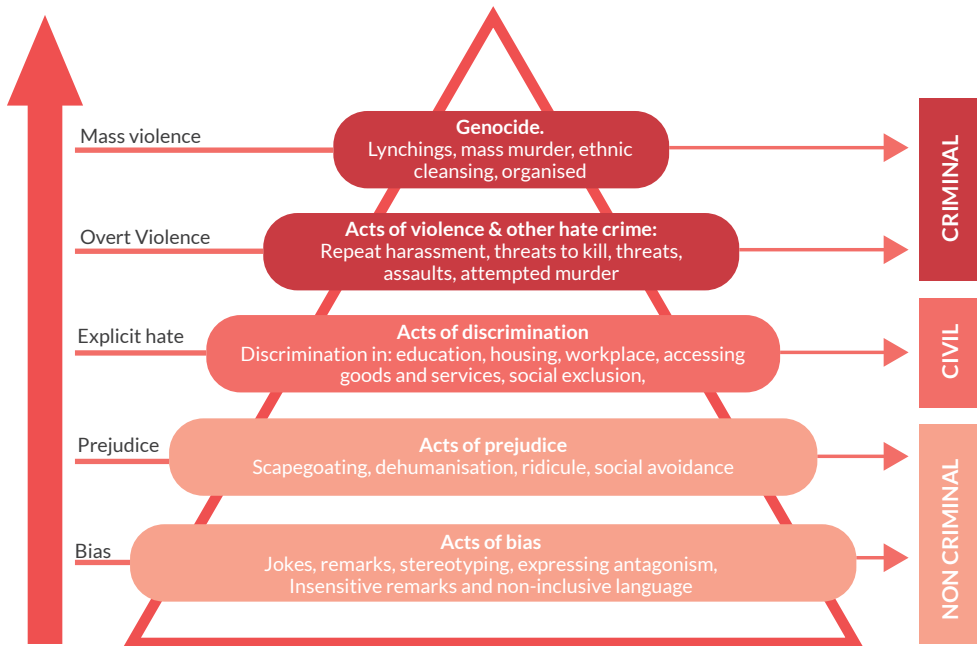
ONLY WORDS? THE LANGUAGE OF RACISM IS THE LANGUAGE OF VIOLENCE.

- Globally the language of **Anti-Black racism** is the language which evokes and celebrates the historic violence against Africans. Dehumanising language has been the precursor to racist violence, lynchings and mass murder throughout history.
- In the period leading to the **Nazi Holocausts against Jews (*the Shoah*) and against Roma (the Porajmos)**, Jews and Roma were described as sub-humans, as vermin, as rats, and as disease. Having been dehumanised as pests, 6 million Jews and half a million to a million Roma were then systematically murdered.
- In the time leading up to the **genocide in Rwanda**, radio stations described Tutsis as cockroaches, as vermin. Over one million were murdered.
- In Bosnia, the massacre of thousands of **Bosnian Muslims at Srebrenica** was preceded by Serb radio and newspapers referring to Bosniaks as “others” and “aliens”.
- Following the recent genocide against **Rohingya Muslims in Burma**, social media platform Facebook was criticised by the UN for facilitating the genocide by failing to restrict a proliferation of hatred-inciting posts which encouraged the violence.
- **Labelling and stereotyping** of a whole group or community occurs when persistent assertions are presented as facts over a period of time, when a minority community is blamed for the broader problems of society or when the anti-social actions of some members of a community are deemed to be the defining characteristics of a whole community. Myths and misinformation can fuel or contribute to an environment where assaults, threatening behaviour and discrimination are more likely to occur.

2. RACISM AS PART OF A SYSTEM OF OPPRESSION



Pyramid of hate



The pyramid of hate is a schema for explaining the relationship between the most extreme acts of racial violence, including genocide, and other lesser acts of violent and verbal hatred and prejudice. Every escalation of hatred is more likely to occur if the context includes the presence 'lesser' manifestations of prejudice and hatred. The people responsible for escalating acts of hatred, do so under the pretext that they are expressing the views of the group they claim to represent; they are enabled to escalate to the next level by the normalisation of prejudice around them. As each level of hatred becomes accepted as normal, the society moves up the scale of hatred towards genocide. What acts of hatred are normal in Ireland and other societies today and historically? **What has enabled these acts? Where on the scale would you place us?**



3. FORMS OF RACISM IN IRELAND

3. FORMS OF RACISM IN IRELAND

PRINCIPAL COMMON FORMS OF RACISM IN IRELAND:

- **Anti-Traveller racism:** This refers to racism or discrimination experienced by people because they are or are perceived to be Travellers or from a Traveller background.
- **Anti-Black racism:** Sometimes referred to as Afrophobia this refers to racism or discrimination experienced by people because they are or are perceived to be black or African or from a black or African background.
- **Anti-Muslim racism:** Also referred to as Islamophobia this refers to racism or discrimination experienced by people because they are or are perceived to be Muslims or to be from a Muslim background.
- **Anti-Roma racism:** Sometimes referred to as anti-gipsyism or Romaphobia this refers to racism or discrimination experienced by people because they are or are perceived to be Roma, Gypsies or from a Roma or Gypsy background.
- **Anti-Migrant racism:** Also referred to as Xenophobia this refers to racism or discrimination experienced by people because they are or are perceived to be migrants or from a migrant background.
- **Anti-Jewish racism:** Also referred to as antisemitism this refers to racism or discrimination experienced by people because they are or are perceived to be Jewish or from a Jewish background.

RACISM TOWARD RELIGIOUS GROUPS

Because the history of racial and religious oppression are closely connected and intersect widely, for example religious sectarianism in Ireland has its origins in the racialisation of Irish identities, and because Jews and Muslims are similarly racialised, ENAR Ireland considers discrimination and hatred towards minority religious groups as being related to racism. In all these cases it is not someone's theological beliefs that are at stake but the perceived traits that are attributed to their real or perceived "Muslimness", "Catholicness", "Jewishness", "Hinduness", "Protestantness" etc.



MANIFESTATIONS OF RACISM CAN DIFFER

Manifestations of racism can be specific to the group being targeted, often using specific vocabulary or imagery, and shaped by historical stereotypes, labels, myths and misperceptions about certain groups. For example:

- Pigs heads and other pork products have been used to target Muslims and Jews, references to the Nazis and the holocaust are commonly associated with attacks on Jews and Roma;
- Travellers, Roma and Jews are accused of being thieves, or of kidnapping children;
- References to the language of and history of slavery are made in attacks on black people;
- “Go home” is often shouted at people perceived to be migrants;
- Migrants are frequently accused of taking locals’ jobs and ‘sponging’ of the system;
- Most minorities have been compared to animals and have been accused of being a sexual threat;
- Muslims are accused of being terrorists;
- Muslim women are frequently targeted for wearing a veil;
- In Ireland since the 2004 Citizenship referendum campaigns, minority women with children have been particular targets of racial scorn.





4. EFFECTS OF RACISM

4. EFFECTS OF RACISM

IMPACT OF RACISM ON INDIVIDUALS

The iReport.ie data on racism in Ireland indicates that racism can have a devastating impact on the lives of those targeted. Victims can suffer not only physically and psychologically, but also feel an impact on their finances and social connectedness:

- **Physical impacts:** loss of or damage to property; physical injuries and their effects which may lead to ill physical health and mental health.
- **Psychological impacts:** racism can have a deeply damaging effect on people's mental health. It humiliates, dehumanises and goes to the heart of a person's identity, undermines people's dignity and forces them to change their usual behaviour and daily routines (for example avoiding certain places or activities, being afraid of leaving house or travelling alone, changing the way they dress, for example a Muslim woman may be afraid to wear a headscarf). It can also lead to other emotional impacts such as distress, PTSD, insomnia, depression, fear, a sense of isolation and lack of trust in people.
- **Social impacts.** Feeling of isolation and low trust in others, including in the victims' neighbourhood can have significant consequences not only for the person's social life but also for a long-term cohesion and integration, particularly so in cases of repeated harassment, institutional racism and housing discrimination. ENAR Ireland's 'Afrophobia' report, on racism against people of African descent, finds that racism '(...) has the effect of marking them out as being out-of-place in Irish work and leisure spaces, isolating them from the wider communities in which they live. While racism of this kind becomes 'everyday', in the sense that there are routine situations in everyday life in which it occurs repeatedly, it produces a distinctly abnormal and inhumane experience of life in Ireland.' (Michael, 2015 p. 39)⁷
- **Financial impacts** Racism can also have financial impacts, for example those caused by having to move to a new house to avoid being a target, the costs related to repair of damaged property, avoiding public transport or taking longer routes, lost employment or barriers to accessing it, depressed wages, discrimination in access to housing, and the illegal denial of social security.



IMPACT OF RACISM ON FAMILIES, COMMUNITIES AND SOCIETY

Racist incidents can have a negative impact not only on an individual who directly experienced it, but also on the person's family or even the entire community. Racism can lead to fear spreading through the community, especially when there is a poor response of the community leaders, local people and/or authorities. Members of the same minority groups can react as if the same has happened to them and feel that racism is accepted and supported by society. Communities can become isolated and torn apart.

THE RIPPLE EFFECT OF RACISM

'When individuals experience racism there is a ripple effect; not only does the individual have to deal with the hurt and isolation but everyone who shares that person's identity becomes a potential target. This community then has a shared fear and sometimes feel they are vulnerable to harassment and violence because of their identity. On a wider scale this serves to isolate and polarise groups creating tensions within society. The feeling of isolation also reinforces the sense of victimisation at the time of the incidents and afterwards.' (ENAR Europe, 2009; p.4)⁸.

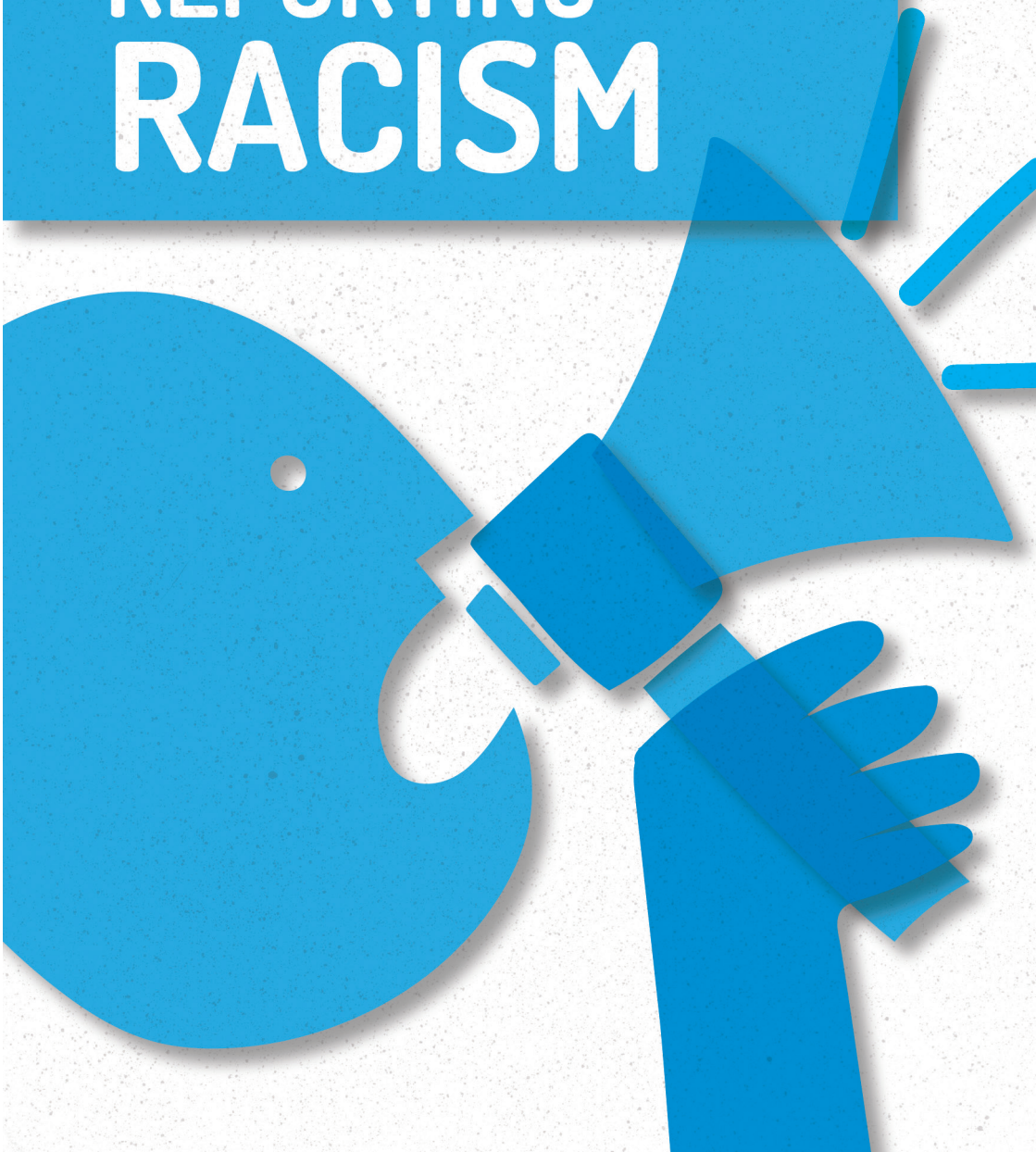
THE ROLE OF BYSTANDERS

The impacts of racist incidents can be compounded severely by the lack of intervention and support from people present. In such circumstances, victims can feel that they are completely alone, helpless and surrounded by people indifferent to their experiences.

The evidence from the 2013-2017 iReport.ie data shows that when people who are targeted by racism do not feel supported in any way by others, then they are more likely to report more severe psychological impact. This further increases their isolation and sense of exclusion and makes them more vulnerable to racial harassment. When offered support and compassion, whether during or after the incident, the effect of such interventions is powerful and the impact on targeted persons likely to be significantly reduced. *See: PART III. 1. WITNESSING RACISM - WHAT TO DO AS A BYSTANDER for tips on bystander intervention.* →

PART II

REPORTING RACISM



PART II

1

ALL RACIST INCIDENTS





1. ALL RACIST INCIDENTS

1.1. Why and how to report racism

1. ALL RACIST INCIDENTS

1.1. Why and how to report racism

WHY SHOULD YOU REPORT RACISM?

- To receive support, information and advice on how to seek redress for racism.
- Racist incidents and crimes that are not reported cannot be addressed.
- To take action against the people or institutions responsible.
- To understand how often racist incidents occur and who is experiencing racism in Ireland.
- To monitor racism and make relevant authorities aware of its nature, scale and manifestations.
- To help devise effective local strategies for combating racism.
- To inform our arguments for stronger anti-racist policies at national level
- To create public awareness of the types of racism that exists in Ireland.
- To promote equality and send out the message that racism is not acceptable in Ireland.
- Racism is a denial of basic human rights.
- Racism is prohibited by Irish equality legislation and international law.



Report all racist incidents to www.iReport.ie



HOW TO REPORT RACISM: USEFUL TIPS

- **Describe the incident in detail:** what exactly happened and to whom; if you were attacked, how it happened, the nature of any injuries sustained, damage done to your property etc.; where and when the incident took place (date and time); by whom (if known); how many people were involved; what, if anything, was said by the perpetrator(s), particularly anything insulting about your skin colour, immigration status, ethnicity, nationality, religion etc.
- **If you think the incident had a racist motive, say it:** while reporting a racist incident, it is important for you to say that you think it was motivated by racism and why. Ask for it to be recorded that way. If you have any evidence of bias or prejudice (i.e. racist language used), let the reporting body/investigators know.
- **Seek evidence and witnesses to the incident.** If possible, obtain witness(es) contact details for future support. Look for evidence that will support your complaint, such as CCTV footage, photos of damage or injury to you or your property, written confirmation from a doctor of injuries sustained and so on.
- **Identify the form of racism that has taken place.** Was it discrimination in employment or in access to services, which relates to equality legislation; or a racist crime which relates to criminal law; or racism online, in the media or other incident? This will determine where and how you should progress with reporting the incident.
- **Identify the appropriate body to seek advice and redress.** For example, depending on what happened, the Gardaí, the Irish Human Rights and Equality Commission (IHREC), Workplace Relations Commission (WRC), trade union etc. can help you bring those responsible to justice and/or help resolve your case. See below sections for further details.
- **Find out what the complaint procedure is.** Many bodies require you to follow a certain complaint procedure and may require you to observe deadlines for issuing your complaint or returning certain forms etc. Make sure you are familiar with these procedures to make your complaint in time.
- **Keep a record of the incident and your complaint.** Make a written report of the incident(s). Keep a record of all correspondence, copies of completed forms, photos, recordings, links and screenshots (in case of racism online) etc.



1. ALL RACIST INCIDENTS

1.1. Why and how to report racism

- **Identify other agencies that might help you resolve the incident.** Consider all possible avenues of redress, such as the landlord/housing management agent, the employer, a local politician or an NGO/charity/community group that specialises in advice and support.
- **Seek advice.** Before making a formal complaint seek advice from a lawyer or/and specialist advocacy organisation to see what your options are.
- **Make an appeal.** If you have been unable to sort out the problem with the body concerned or you are not happy with their decision you should be able to make an appeal i.e. to the organisation concerned, the Workplace Relations Commission, the Ombudsman or the Children Ombudsman, the Garda Ombudsman, relevant court etc.
- **Report the incident to iReport.ie.** We encourage you to report all racist incidents to the iReport.ie online racist incident reporting system. This helps us to keep a record of incidents of racism in Ireland, to monitor its extent and different forms, and to find solutions on local, national and international levels. Remember that unreported racism stays invisible and cannot be addressed.





1.2. iReport.ie – online racist incident reporting system

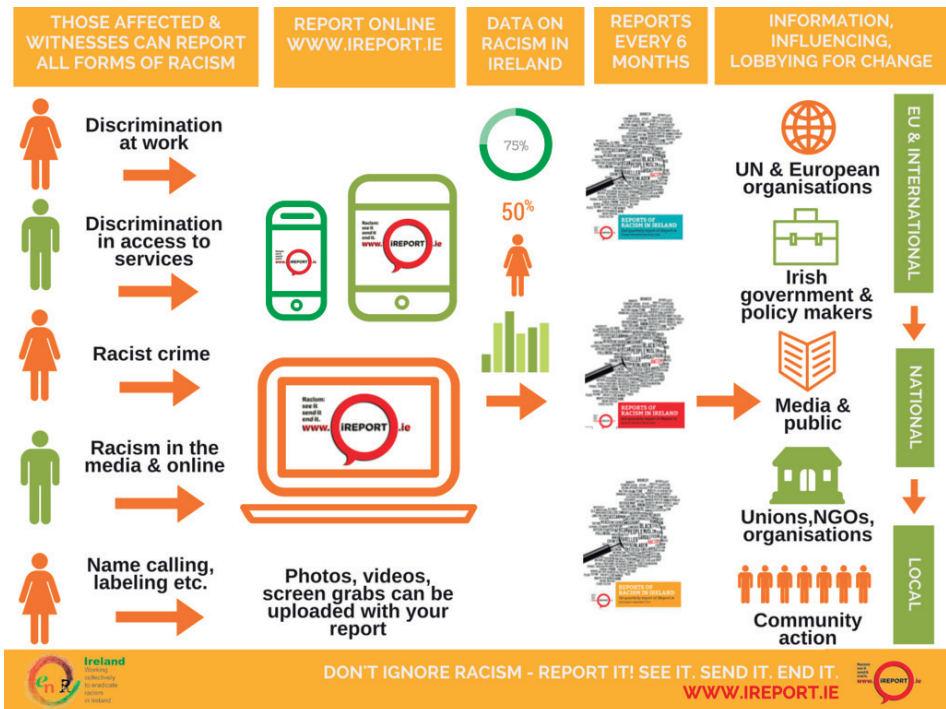
Those who have experienced or witnessed racism can report all types of racist incidents, including racist crime, racist discrimination, racism in the media, online or any other form of racism directly on ENAR Ireland's WWW.IREPORT.IE or, if you need support, through one of the [iREPORT.IE REPORTING CENTRES NETWORK](#). [See below →](#)

iREPORT.IE – ONLINE RACIST INCIDENT REPORTING SYSTEM

WEB: www.iReport.ie

iReport.ie is a national, confidential, easy to use online racist incident reporting system for the people, communities and organisations in Ireland to document racism occurring nationwide.

How iReport.ie works:





1. ALL RACIST INCIDENTS

1.2. iReport.ie-online racist incident reporting system

- It enables people who experience or witness racism to have their voices heard.
- It provides a safe, confidential and easy way to report for people who experience or witness racism.
- It helps to monitor and gather better information on racism in Ireland and can give us a better idea of its extent and nature.
- We use the collected information to monitor racism and its extent in Ireland, to prove that racism does exist in Ireland, show its impact on victims, and to counter an increase in racism and hardening of racist attitudes.
- Twice a year we produce reports based on the gathered data, which help us lobby for better protection against racism and focus discussion on finding solutions on local, national and international levels.

To report a racist incident through iReport.ie:

- Go to www.iReport.ie.
- Pick one of three options of what happened (type of the incident).
- Fill out the online form to describe what happened in detail. You will be asked to tick answers matching your case and fill in a few boxes giving you an opportunity to describe what happened in your own words. It should not take more than 5-10 minutes.
- Upload photos, audios, videos, screen grabs and other files related to the incident.
- Reports are anonymous, but you can leave your contact details if you wish to do so.
- If you don't have access to a computer or require support with reporting, contact any of the listed **iREPORT.IE REPORTING CENTRES** for assistance. Additional individual help for people who have been subjected to racism is available from the organisations within our Network and other specialist bodies listed in this publication. [See: PART-III 3. SUPPORT FOR VICTIMS OF RACISM →](#)
- ENAR Ireland always encourages people to report racist crimes to An Garda Síochána, the Irish police. Because of confidentiality issues, **reports of racism reported to iReport.ie are NOT automatically reported to An Garda Síochána or any other body.** Reports to the police must be made in person. [See: 2.2. REPORTING RACIST CRIME for more information on reporting racist crimes. →](#)
- Remember that **iReport.ie is NOT an emergency service** and serious incidents should be reported to the emergency services by calling 112 or 999.



iREPORT.IE REPORTING CENTRES NETWORK

WEB: www.enarireland.org/ireport-quarterly/reporting-organisations/

iReport.ie Racism Reporting Centres Network is a growing national network of organisations committed to anti-racism and equality, where people can access the following services:

- Support with reporting what happened to iReport.ie online system so there is a record of the racist incident.
- Information on how the iReport.ie works and why it's important to report racism.
- Depending on the capacity and expertise of each Reporting Centre, it may be able to provide you with further advice where to get redress and how to complain to various bodies. Some specialised organisations may provide services such as advocacy, representation, help filling forms etc.

iReport.ie Racism Reporting Centres Network includes:

AMAL WOMEN'S ASSOCIATION

Dublin

T: 01 453 3242 **E:** amal.hope@outlook.ie **WEB:** www.amalwomenirl.com

CAIRDE

Dublin & Balbriggan

T: 01 855 2111 **E:** info@cairde.ie **WEB:** www.cairde.ie

CULTÚR

Navan, Co Meath

T: 046 909 3120 **E:** info@cultur.ie **WEB:** www.cultur.ie

CORK TRAVELLER WOMEN'S NETWORK

Cork

E: corktravellerwomen@hotmail.com

CROSSCARE REFUGEE SERVICE

Dublin

T: 01 873 2844 **E:** crs@crosscare.ie **WEB:** www.crosscare.ie

DOLPHIN'S HOUSE

Dublin

T: 01 454 4682 **E:** debbie-m3@hotmail.com

DONEGAL INTERCULTURAL PLATFORM

Letterkenny, Co Donegal

E: donegalip@gmail.com



1. ALL RACIST INCIDENTS

1.2. iReport.ie-online racist incident reporting system

DONEGAL TRAVELLERS PROJECT

Letterkenny, Co Donegal

T: 074 912 9281/ 074 912 2778 E: travcom@eircom.net

DORAS LUIMNI

Limerick

T: 061 310 328 E: info@dorasluimni.org WEB: www.dorasluimni.org

DUBLIN CITY CENTRE CITIZEN INFORMATION SERVICE

Dublin

T: 076 107 7230; in person: 13A O'Connell Street Upper, Dublin 1

F2 CENTRE

Dublin

T: 01 471 6700 E: info@f2c.ie WEB: www.f2c.ie

GALWAY TRAVELLER MOVEMENT

T: 091 765 390 E: info@gtmtrav.ie WEB: www.gtmtrav.ie

HILLVIEW RESOURCE CENTRE

Ballinteer, Dublin

T: 01 296 5025

E: ask@hillviewrc.ie WEB: www.hillviewrc.ie

ISLAMIC CULTURAL CENTRE OF IRELAND

Clonskeagh, Dublin

T: 01 208 0000 E: info@islamireland.ie WEB: www.islamireland.ie

ISLAMIC FOUNDATION OF IRELAND

Dublin

T: 01 453 3242 E: info@islamicfoundation.ie WEB: www.islamicfoundation.ie

IRISH COUNCIL FOR INTERNATIONAL STUDENTS (ICOS)

T: 01 660 5233 WEB: www.internationalstudents.ie

IRISH TRAVELLER MOVEMENT or any of its member organisations:

T: 01 679 6577 E: info@itmtrav.ie WEB: www.itmtrav.ie

IRISH REFUGEE COUNCIL

Dublin

T: 01 764 5854 E: info@irishrefugeecouncil.ie WEB: www.irishrefugeecouncil.ie

JESUIT REFUGEE SERVICE

Limerick: 061 480 922

Dublin: 01 814 8644

E: info@jrs.ie WEB: www.jrs.ie

MAYO INTERCULTURAL ACTION

Castlebar

T: 094 902 8468 E: miamayo@eircom.net WEB: www.facebook.com/

MayoInterculturalAction

1. ALL RACIST INCIDENTS

1.2. iReport.ie-online racist incident reporting system



MIGRANT RIGHTS CENTRE IRELAND

Dublin

T: 01 889 7570 E: info@mrqi.ie WEB: www.mrqi.ie

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

Cork

T: 021 427 3594 E: info@nascireland.org WEB: www.nascireland.org

NATIONAL YOUTH COUNCIL OF IRELAND Dublin

T: 01 478 4122 E: info@nyci.ie WEB: www.nyci.ie

NEW COMMUNITIES PARTNERSHIP

Dublin

T: 01 8727842 E: info@newcommunities.ie WEB: www.newcommunities.ie

OFFALY TRAVELLER MOVEMENT

Tullamore

T: 057 93 52438 E: info@otm.ie WEB: www.otm.ie

PAVEE POINT TRAVELLER & ROMA RIGHTS CENTRE

Dublin

T: 01 878 0255 E: info@pavee.ie WEB: www.paveepoint.ie

RIALTO COMMUNITY NETWORK

Dublin

T: 01 473 2003 E: annswords@dscp.ie

SOUTH DUBLIN INTERCULTURAL CENTRE / TALLAGHT ROMA INTEGRATION PROJECT

Dublin SDCC Intercultural Drop-in Centre

T: 01 464 9300 WEB: www.sdcpartnership.ie

ST ANDREW'S COMMUNITY CENTRE

Dublin

T: 01 453 0744 E: centremanager@standrewsrialto.ie

WEB: facebook.com/standrewsrialto

ST MICHAEL'S FAMILY RESOURCE CENTRE

Dublin

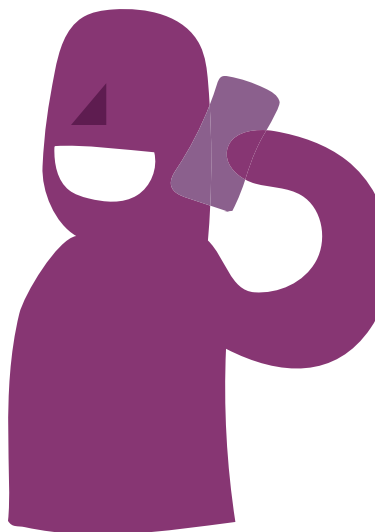
T: 01 453 3938 E: ailishfrc@eircom.net

UNION OF STUDENTS IN IRELAND

Dublin

T: 01 709 9300 E: equality@usi.ie

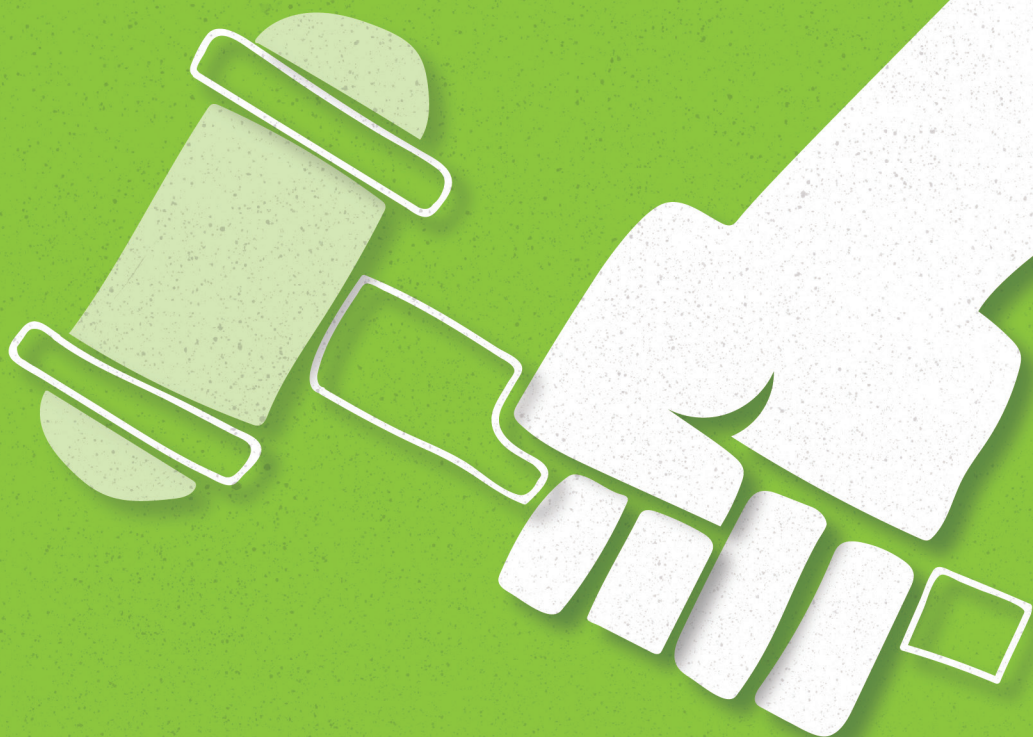
WEB: www.usi.ie



PART II

2.

REPORTING RACIST CRIME





2. REPORTING RACIST CRIME

2.1. Defining hate crime

2. REPORTING RACIST CRIME

A WORD FROM AN GARDA SÍOCHÁNA

“An Garda Síochána is committed to working closely with all stakeholders and Civil Society Groups, especially ENAR Ireland, to help build trust and confidence in the reporting, recording and investigation processes within the Criminal Justice System. Our policing service is victim centred where we will recognise, acknowledge and respect the difference and needs of all diverse and minority communities.

An Garda Síochána will enhance and further strengthen our current positive engagement with people from diverse communities through collaboration, partnership-building and upholding the highest ethical and human rights standards in policing.”

*Superintendent Kevin Daly
Garda National Community Oriented Policing Bureau*



2.1. Defining hate crime

WHAT IS HATE CRIME?

A **hate crime** is a crime motivated by prejudice, when a perpetrator targets a victim because of their perceived membership of a certain social group.

Hate crime has two important elements:

1. Criminal act: Hate crimes are acts which are treated as crimes in criminal law. Those offences include:

- Murder
- Assault, including assault causing harm or serious harm.
- Harassment.
- Theft.
- Fraud.
- Criminal damage to property or threat of criminal damage.

2. REPORTING RACIST CRIME

2.1. Defining hate crime



- Rape or sexual assault.
- Public order offences (disorderly conduct, threatening and abusive behaviour, affray, violent disorder).

2. Bias motivation: Hate crimes are motivated, at least in part, by a bias or prejudice against someone's real or supposed identity or background.

Targeted groups

People targeted by hate motivated crime in Ireland are usually:

- From an ethnic minority background (racist hate crimes)
- From a religious minority (religious hate crimes)
- Lesbian, gay or bisexual (homophobic hate crime)
- Transgender (anti-transgender hate crimes)
- People with disabilities (disablist hate crime)

2.1.1. Hate crime and the law

THERE IS NO EFFECTIVE HATE CRIME LEGISLATION IN IRELAND

Ireland, unlike most other EU countries, has no dedicated hate crime legislation, save the very restricted Prohibition of Incitement to Hatred Act 1989. The 1989 Act, which has been “under review” since 2000, narrowly deals with cases of hate speech which are deemed to incite hatred. However, Gardaí can investigate and prosecute hate crimes using existing criminal law. The PULSE system allows Gardaí to record and track the bias motive. *See: 2.2.2. REPORTING AND INVESTIGATION PROCESS to find out more about the PULSE system.* →

Please support our Love Not Hate campaign calling for the introduction of hate crime legislation in Ireland. See how you can support it at www.enarireland.org/hatecrime/



2. REPORTING RACIST CRIME

2.2. Reporting racism crime

Irish criminal law can currently be used to protect against racist crime but can only do so without recognising that the racist element is important in a crime. As yet (2019), there is no provision for recognising racist or other forms of hate crime in the law, **however the following Irish legislation can and has been used against perpetrators of racist crime:**

- Criminal Justice (Public Order) Acts, 1994-2011
- Criminal Justice Act 1964 and 1994, Section 6
- Non-Fatal Offences Against the Person Act, 1997
- Criminal Damage Act, 1991
- Prohibition of Incitement to Hatred Act, 1989
- By-laws, for example by-laws enforced by transport companies such as CIÉ.

WHAT IS THE DIFFERENCE BETWEEN 'ORDINARY' AND HATE CRIME?

Gardaí defines hate crime as 'Any incident which is perceived by the victim or any other person as being motivated by hate, based on a person's age, race, ethnicity, religious belief, gender identity, disability, or sexual orientation'.

While reporting a racist crime, it is important for you to tell Gardaí if you think it's a hate crime and ask them to record it that way. If you have any evidence of bias or prejudice (i.e. racist language used), let them know. This can help but is not essential for recording what happened to you as a hate crime.

2.2. Reporting racist crime

If you have experienced or witnessed a crime being committed, you will most likely become involved in the criminal justice system. This experience can be a very confusing and stressful, therefore this section aims to explain the specific stages involved in reporting and investigating racist crimes. It also aims to identify the rights of a victim throughout the process and provides information on where to make complaints if you are not satisfied with the treatment you received from the Gardaí.

2.2.1. Where to report a racist crime

- Anyone who feels that they have been a victim of or witness to a racist crime such as assaults, verbal abuse, damage to property or dissemination of material that may have the potential to incite hatred, should contact **THE EMERGENCY SERVICES** or their **LOCAL GARDA STATION**.

2. REPORTING RACIST CRIME

2.2. Reporting racism crime



- Reporting of the crime should be done in person at a Garda station. However, it is possible to report by phone and then visit the station later. To report an incident in confidence, ring the **GARDA CONFIDENTIAL TELEPHONE NUMBER**.

➔ **THE EMERGENCY SERVICES:** T: 999 (from landlines) or 112 (from mobiles)

An emergency is any incident which requires an immediate Garda response. Examples of emergencies are:

- ✓ A danger to life
- ✓ Risk of serious injury
- ✓ Crime in progress or about to happen
- ✓ Offender still at scene or has just left

➔ Directory of **GARDA SÍOCHÁNA LOCAL STATIONS** in Ireland:
www.garda.ie/en/Contact-Us/Station-Directory/

➔ **GARDA CONFIDENTIAL TELEPHONE NUMBER:** 1800 666 111.

- Victims of racist crimes can ask for the assistance of **ETHNIC LIAISON OFFICERS** (ELO) who are Community Garda Officers trained to provide specific support and advice to victims of racist incidents in Ireland. The ELOs should also inform and assure ethnic communities of Garda services. You can request the services of your local appointed Garda Ethnic Liaison Officer(s) at any stage of the investigation. It is important to note, that all members of An Garda Síochána, and not just ELOs, can deal with racist incidents reported to them.

➔ List of **ETHNIC LIAISON OFFICERS** in Ireland and more information about their role is available on the Garda National Diversity and Integration Unit's website (in the Related Documents section): www.garda.ie/en/crime-prevention/community-engagement/community-engagement-offices/the-garda-racial-intercultural-diversity-office/

- Investigating Gardaí can also receive help from the **GARDA NATIONAL DIVERSITY AND INTEGRATION UNIT (GNDIU)**. You can let them know that you have reported a hate crime by contacting them with details of where and when you reported it. They can then offer assistance to the investigation.

➔ **GARDA NATIONAL DIVERSITY AND INTEGRATION UNIT (GNDIU)**
Harcourt Square, Harcourt Street, Dublin 2
T: 01 666 3150/3817 E: diversity@garda.ie
WEB: www.garda.ie/en/crime-prevention/community-engagement/community-engagement-offices/the-garda-racial-intercultural-diversity-office/



2. REPORTING RACIST CRIME

2.2. Reporting racism crime

Staff members of the GNDIU (formerly GRIDO) coordinate, monitor and advise on all aspects of policing in the area of diversity. They are available to members of the public and the Garda organisation for advice and support in the GNDIU area of expertise.

- If for whatever reason either a victim or a witness decides not to contact the police, an incident can be anonymously reported to WWW.IREPORT.IE, so there is a record. If not reported anywhere, racism stays invisible and can't be addressed. It's important to remember that reporting to iReport.ie does not replace reporting to the Gardaí or other bodies.

2.2.2. Reporting and investigation process



STEP 1: REPORTING A CRIME

If you have concerns about reporting an incident and the consequences of doing so, you can discuss it in confidence with **CRIME VICTIMS HELPLINE**. See: **PART III: SUPPORTING VICTIMS OF RACISM: 3.2. VICTIM SUPPORT ORGANISATIONS** →

- Victims are entitled to information on their rights on the first contact with the Gardaí, regardless of whether they have made a formal complaint.
- **If you fear going to the police station**, it is possible to request that an **ETHNIC LIAISON OFFICER** call to your home or any other place where you feel comfortable. You can ask them to wear plain clothes and come in an unmarked car. If it would make you more comfortable, you can also request to speak to either a male or a female Garda. If a victim wants a totally confidential service and is afraid to deal with their local police, the **GARDA NATIONAL DIVERSITY AND INTEGRATION UNIT (GNDIU)** can be contacted to deal with the matter. See: **2.2.1. WHERE TO REPORT A RACIST CRIME** ← for contact details of ELOs and GNDIU
- **If you don't feel comfortable reporting the crime alone**, you can bring another person of your choice and a legal representative when you are giving a statement to An Garda Síochána.
- When a crime victim wishes to report a crime to the Garda Síochána, **the Gardaí must take a formal statement** from the injured party/complainant. The investigating Garda will write it down and get you to sign. You may request a copy of that statement. Gardaí are not entitled to attempt to mediate a situation without first checking if the victim wishes to make a formal statement.

2. REPORTING RACIST CRIME

2.2. Reporting racism crime



- When reporting a racist attack, it is important to **provide as detailed information as possible** including:
 - ✓ How you were attacked/the nature of the hate crime.
 - ✓ The number of people involved.
 - ✓ If you know the identity of the attacker(s) and where they live or, alternatively, what they looked like and/or what they were wearing.
 - ✓ What, if anything, was said by the attacker, particularly anything insulting about your skin colour, ethnicity, nationality, cultural background or religion.
 - ✓ Why else you regard the attack as having been racially or religiously motivated.
 - ✓ If you have been attacked before, when and by whom.
 - ✓ Where and when the attack happened.
 - ✓ The nature of any injuries sustained. It might be helpful to obtain medical evidence.
 - ✓ If anyone else was attacked.
 - ✓ The names and addresses/phone numbers of any witnesses.
 - ✓ Any concerns about your (or your family's) safety.
- The Garda should **explain the investigation process** to you and provide you with the name, telephone number and station of the investigating Garda.
- Every alleged crime is given a specific **PULSE Incident Number**. Ask for that number and keep a record of it, so that the police can quickly find the details of your case if needed. Additionally, ask for and keep the **personal number of the Garda** taking the report and dealing with your case, which is displayed on the shoulder of his/her uniform. It is also helpful to keep a record of the date you reported, the date of any subsequent calls you make, and who you spoke with.



2. REPORTING RACIST CRIME

2.2. Reporting racism crime

THE PULSE SYSTEM AND RACIST CRIME

- ✓ PULSE is a computer system used by the Garda Síochána to record crimes and other incidents. The system enables the Gardaí to record instances of racism and hate crimes directly into the system. There are currently 11 categories to capture different types of hate crimes in Ireland, including racism, homophobia, anti-Traveller offences, ageism, acts against people with disabilities, sectarianism, anti-Roma sentiments, Islamophobia, anti-Semitism, transphobia and gender-related issues.
- ✓ Because the PULSE system does not prompt Gardaí to record a crime as a hate crime, **you should specifically ask them to record it as such to make sure it goes on the system.**
- ✓ Calls to 999 or 112 about hate crimes will be automatically recorded on PULSE for later investigation but may not have the hate crime element recorded. You can request this to be added later.

- When reporting a crime, you are obliged to give your name to the Gardaí, but it **is not compulsory for you to give your address.** You have the right to state your address as 'care of' (c/o) the Garda station where you have reported the crime.
- Update the police with any changes or developments in your case, i.e. if you noticed further losses or damage since you first reported the offence, or you may be suffering further effects from an injury caused by the crime or if you changed your address or contact details.

AN GARDA SÍOCHÁNA AND PEOPLE FROM MINORITIES

- All members of An Garda Síochána should treat victims with dignity and respect – regardless of your gender, race, religious beliefs, ethnic origin, sexual orientation, age, nationality, disability, economic circumstances, marital or family status or if you are a member of the Traveller community.
- The Criminal Justice (Victims of Crime) Act 2017⁹ gives victims of crime minimum rights to information, support and protection **regardless of their residential status** or what documentation they have.
- If you are reporting a crime, the Garda is **not** entitled to ask questions regarding the citizenship, residency status, nationality or religion of a victim or witness or to enter such information into the incident report, unless it is of investigative significance or relevant to the investigation.

2. REPORTING RACIST CRIME

2.2. Reporting racism crime



- The Gardaí, the Garda Ombudsman, the Director of Public Prosecutions, the Courts Service and the Irish Prison Service must ensure that any communication with a victim, whether oral or in writing, is in a **simple language** and it **considers any personal characteristics or disability** that a victim may have.
- If you are unable to communicate fluently in Irish or English, the Gardaí are obliged to provide **free interpreting services** so that you receive the quality of service to which all victims of crime are entitled. If the police refuse to provide an interpreter, you can ask to see their policy on translators and interpreters and you may want to consider making a complaint. *See: 2.2.3. COMPLAINTS AGAINST POLICE for the complaint procedures.* →



STEP 2: INVESTIGATING THE CRIME

- Once you have given your statement the matter will then be investigated by the Gardaí, who will gather all available evidence, such as statements from victim(s) and witnesses, CCTV, fingerprints or DNA.
- If you have been the victim of a racist crime which you have reported to An Garda Síochána, you are entitled to receive an update about the investigation and any significant developments in your case including arrest, charge, bail, remand and any other court date.
- As well as the PULSE number of the crime, the Gardaí must tell you the name, telephone number and station of the **INVESTIGATING GARDA OFFICER** who will be your first point of contact and with whom you should keep in touch for information and support. Gardaí work on a rotational three 10-hour shift basis, 6 days on and 4 days off, so it is advisable to phone your Garda station to check when the Investigating Officer assigned to your case is next on duty. Quote the incident PULSE number in all communication. You will also be contacted by your local **GARDA VICTIM SERVICE OFFICE**.

GARDA VICTIM SERVICE OFFICES (GVSO)

Garda Community Engagement and Public Safety Bureau, Garda Headquarters, Harcourt Square, Dublin 2

T: 01 6663 880/363 **E:** crimevictims@garda.ie

WEB: www.garda.ie/en/Victim-Services/Garda-Victims-Services-Offices/



2. REPORTING RACIST CRIME

2.2. Reporting racism crime

- Supporting all victims of crime is now part of every anti-crime strategy. The Garda Victim Service Offices are the central point of contact for victims of crime in each of the 28 Garda divisions. The offices are staffed by specially trained personnel whose role is to keep victims informed of all significant developments associated with their case, as well as to provide contact details for relevant support and counselling services. They supplement victim support activity already being undertaken by investigating members of An Garda Síochána.
- ✓ **Victims of burglary, assault or criminal damage** receive a follow-up call from the Victim Service Office to ensure they have all the required information including contact details of the investigating Gardaí. Victims can also raise any additional issues. They are provided with crime prevention advice and details for external services available from other State and/or Non-Governmental Agencies.
- ✓ **Victims of domestic violence, sexual crime or other crimes where there is trauma** are given advice and support in person from investigating or specialist Gardaí.
- Depending on the investigation and the evidence, the Gardaí may arrest a suspect.
- There is no onus on an alleged perpetrator of a crime to make a statement in their defence about an alleged incident.
- A suspect of a crime cannot be detained and questioned for a Public Order Offence, as a conviction for such an offence would not receive a five-year sentence. Only suspects of a serious crime (possible sentencing of five years or more) can be detained and questioned by the Gardaí.

PROTECTION OF VICTIMS

When investigating, the Gardaí are required to individually assess all victims of crime to determine if the victim has any protection needs or if they should be provided with any protection measures. If you, or others close to you, are harassed or threatened in any way during an investigation or court appearance, you should contact Gardaí immediately.





STEP 3: THE PROSECUTION: CHARGING A SUSPECT

- When the investigation is complete the case is referred to the **GARDA SUPERINTENDENT** or to the **DIRECTOR OF PUBLIC PROSECUTION (DPP)**. They read the file to see if there is enough evidence to prosecute someone for the crime and assess if it is in the public interest to bring the case to court. If there is, the DPP will decide what the charges should be.

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS (DPP)

Communications and Victims Liaison Unit, Office of the Director of Public Prosecutions, Infirmary Road, Dublin 7

T: 01 858 8500 **E:** dpp@dppireland.ie **WEB:** www.dppireland.ie/victims_and_witnesses/

- ➔ **Brief guide to the criminal justice system:** www.dppireland.ie/brief-guide-to-the-criminal-justice-system/

The DPP is the agency responsible for the prosecution of crime in Ireland. It decides whether or not to charge people for committing crimes, or in other words, to prosecute them. The DPP also decides what the charges should be. Once the prosecution begins, the Office of the DPP is responsible for the prosecution case.

WHAT YOU CAN EXPECT FROM THE DPP AS A VICTIM AND AS A WITNESS

If you are a victim, you can ask the DPP to:

- Take your views into account while deciding whether to prosecute.
- Look again at a decision that has been made, with which you do not agree.
- Inform you whenever possible of the reason for not proceeding with a prosecution if a member of your family or household is the victim in a fatal case.

If you are a witness, the DPP will:

- Treat you with respect and take account of your personal situation, rights and dignity.
- Work with An Garda Síochána to make sure that you are kept up to date on your case, especially if it concerns a violent or sexual offence.
- Arrange for you to talk to the prosecution solicitor and barrister before the court case begins, if you wish. They will explain what will happen in court, but they cannot talk to you about the evidence you will give.



2. REPORTING RACIST CRIME

2.2. Reporting racism crime

- The investigating Gardaí will tell you whether the DPP has decided to prosecute and, if so, when and where the court case will take place.
 - ✓ **For serious crimes**, such as murder or sexual offences the prosecution is carried out by **THE OFFICE OF THE DPP**, usually in the **CIRCUIT** or **CENTRAL** or **SPECIAL CRIMINAL COURT**.
 - ✓ **For less serious crimes**, such as public order offences, some traffic offences and minor assaults, the case is prosecuted by **THE GARDAÍ** in the **DISTRICT COURT**. However, the prosecution is still taken in the name of the DPP who has the right to tell An Garda Síochána how to deal with the case.
- If the Gardaí or the DPP **decide not to prosecute**, a victim can request the reasons as to why such a decision was taken. A victim can also request a review of a decision by the Gardaí or the DPP not to prosecute.
- Once a person is charged with an offence, there must be a court appearance within 40 days; this is called a statute of limitation.



STEP 4: THE COURT CASE

- When the case is brought to court, a date for a hearing is set. There is an average waiting time of three months.
- Any information about an impending court date can be obtained from the Garda Station where the crime was reported by quoting the PULSE incident number. If a person pleads guilty, the victim of the crime may not necessarily be informed of the court date or any conviction.
- If a suspect has been charged, and is due to appear in the court, the Gardaí are obliged to inform the victim:
 - ✓ Whether the accused is in custody or on bail and the conditions attached to the bail.
 - ✓ Of the time, date and location of the court hearings.
 - ✓ About the nature of the prosecution process.
 - ✓ Whether he/she will be called as a witness.
 - ✓ Of the help available from Victim Support.
 - ✓ That a judge may ask for a 'victim impact statement' and arrange for its completion.

2. REPORTING RACIST CRIME

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- ✓ Whether he/she is entitled to court expenses.
 - ✓ Of the outcome of the trial.
 - ✓ If the crime caused serious trauma to you or your family, the Gardaí will tell you if the offender is about to be released from prison, if they are notified of the release.
- A judge has discretion not to permit the cross-examination of a victim about their private life where there is a need to protect the victim from secondary and repeat victimisation, intimidation or retaliation and it would not prejudice the case.
 - If the accused is found not guilty, he or she is free to go. If the accused is found guilty, the judge will sentence him or her. The sentence will usually be decided later. If the jury cannot agree a verdict, the DPP must decide whether a new trial should take place.
 - All victims of crime can present a 'victim impact statement' at sentencing, should they wish to do so.
 - If the accused has been sentenced, the DPP can ask the Court of Criminal Appeal to review the sentence if he/she thinks it is unduly lenient – in other words, so light that it is wrong in law. The DPP can ask for a review of sentences from the Central Criminal Court, Circuit Criminal Court and Special Criminal Court. The DPP cannot appeal a sentence from the District Court.
 - If your case has gone to court and someone has received a prison sentence in relation to the case, the IRISH PRISON SERVICE can assist victims of crime.

IRISH PRISON SERVICE VICTIM LIAISON SERVICE

Victim Liaison Officer, Irish Prison Service Headquarters, IDA Business Park, Ballinalee Road, Longford

T: 043 3335 100 **E:** vlo@irishprisons.ie

WEB: www.irishprisons.ie/victim-liaison/victim-liaison-service/

If a person is in custody having been convicted of committing a crime against you, you may request information from the Irish Prison Service Victim Liaison Officer in relation to significant developments relating to the management of the perpetrator's sentence such as temporary releases, parole board hearings, prison transfers, expected release dates, etc. This strictly confidential service is available only by request.

The Victim Liaison Officer can also provide victims with general information on the prison system such as the prison regime, remission on sentences and our system of parole, including the operation of the Parole Board.



2. REPORTING RACIST CRIME

2.2. Reporting racism crime

VICTIMS' RIGHTS IN IRELAND

The Criminal Justice (Victims of Crime) Act 2017¹⁰ establishes minimum standards on the rights, support and protection of victims of crime. It introduces several statutory rights for victims of crime including:

- The right to comprehensive information on the criminal justice system;
- The right to information on victim support services;
- The right to be kept informed on the progress of the investigation and any court proceedings;
- The right to an individual assessment of their protection needs and measures to safeguard them from further victimisation and intimidation;
- The right to be informed of a decision not to institute a prosecution and the right to request a review of that decision;
- The right to receive information in clear and concise language and to interpretation and translation where necessary.

Additional information on victim's rights, on An Garda Síochána obligations and the Criminal Justice System in Ireland can be found in:

- **Garda Síochána Victim Information Leaflet** provides some relevant information that can help victims access their entitlements as set out in the EU Victims Directive: www.garda.ie/en/Victim-Services/Where-else-can-I-get-support-/Victims-Information-Leaflet-English-and-Irish-Version-2016.pdf
- **Garda Victim's Charter** outlines what you as a victim can expect once you report a crime: www.garda.ie/en/Services/Reporting/An-Garda-Siochana-Victims-Charter-English-Version.pdf
- **Brief Guide to the Criminal Justice System** explains the most common questions you may have about the criminal justice system in Ireland: www.dppireland.ie/victims_and_witnesses/





2.2.3. Complaints against police

Where to complain if your report does not receive satisfactory action from the police.



STEP 1

In cases of unsatisfactory action from the local Garda taking your statement that is confined to unsatisfactory policing service (as opposed to the conduct of the Garda which may amount to discipline or criminal behaviour) contact the **GARDA VICTIM SERVICE OFFICE**. *See: 2.2.2. REPORTING AND INVESTIGATION PROCESS* ←

Alternatively, you can contact the **ETHNIC LIAISON OFFICER (ELO)**, or **COMMUNITY LIAISON SERGEANT** in your local Garda Station. *See: 2.2.1. WHERE TO REPORT A RACIST CRIME* ←



STEP 2

If you are still not satisfied with their response, contact the **GARDA STATION SUPERINTENDENT**, whose contact you can obtain from your **LOCAL GARDA STATION**, or your **DIVISIONAL GARDA VICTIM SERVICE OFFICE**. *See: 2.2.2. REPORTING AND INVESTIGATION PROCESS* ←



STEP 3

If you are not satisfied with the service from your local Garda station contact **GARDA NATIONAL DIVERSITY AND INTEGRATION UNIT (GNDIU)** *See: 2.2.1. WHERE TO REPORT A RACIST CRIME* ← or **GARDA SÍOCHÁNA OMBUDSMAN COMMISSION**. *See: 3.4.1. PUBLIC BODIES for the reporting procedure* →

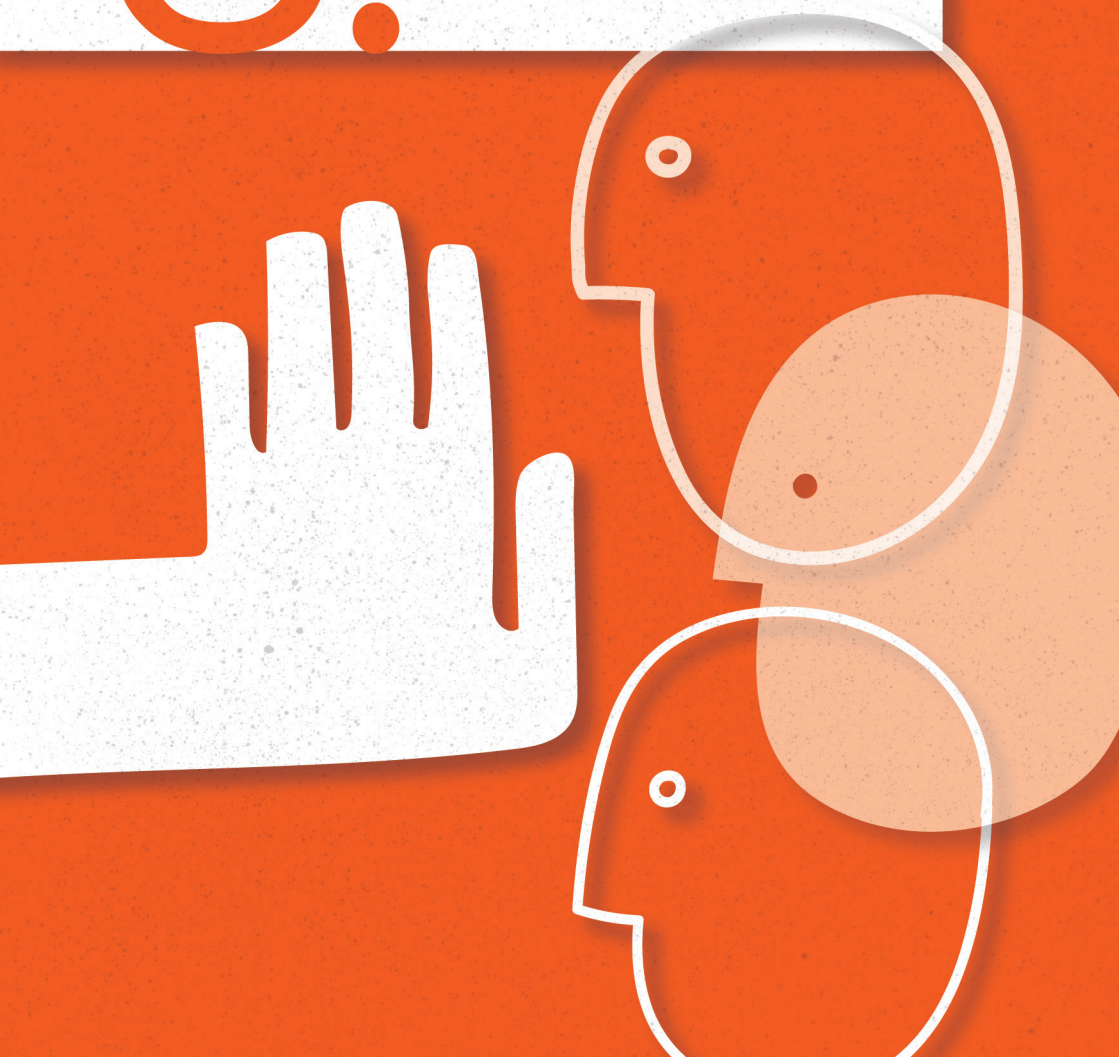
DISCRIMINATION BY THE POLICE

It's against the law for the police to discriminate against you on any of 9 grounds listed in the equality legislation. If you feel discriminated against by Gardaí at any stage or think they are not taking your complaint seriously because of discrimination, you can follow the above steps or make a complaint to the **WORKPLACE RELATIONS COMMISSION (WRC)** under the Equal Status Act. *See: 3.2. WHERE TO REPORT DISCRIMINATION for the procedure* →



PART II

3. REPORTING RACIST DISCRIMINATION





3. REPORTING RACIST DISCRIMINATION

3.1. Discrimination and the law

3. REPORTING RACIST DISCRIMINATION

3.1. Discrimination and the law

WHAT IS DISCRIMINATION?

DISCRIMINATION occurs when a person is treated in a less favourable way than another person is, has or would be treated in a comparable situation based on any of the **prohibited grounds listed in Equal Status Acts, including the Employment Equality Acts 1998–2015¹¹ and the Equal Status Acts 2000–2015¹².**

PROHIBITED GROUNDS OF DISCRIMINATION LISTED IN THE EQUALITY LEGISLATION:

1. Gender (including transgender)
2. Civil status
3. Family status
4. Age
5. 'Race' (includes skin colour, ethnicity and nationality)
6. Religion (or none)
7. Disability
8. Sexual orientation
9. Membership of Traveller Community

A tenth ground of discrimination has recently been added.

10. Housing assistance (i.e. in the provision of accommodation)

DISCRIMINATION AND THE LAW

Discrimination is outlawed by Irish equality legislation in the **workplace** and in the **provision of goods and services**.

- **DISCRIMINATION AT WORK** is covered by the **Employment Equality Acts 1998–2015¹³**. You can make a claim under these Acts if you are an employee, or a job seeker, and you feel you are discriminated against unlawfully, on any of the nine prohibited grounds.

3. REPORTING RACIST DISCRIMINATION

3.1. Discrimination and the law



The legislation covers: all aspects of work including job advertising, recruitment and promotion, equal pay, working conditions, vocational training or work experience, collective agreements, dismissal, harassment etc.

➔ **Find out more here:** www.workplacelrelations.ie/en/What_You_Should_Know/Employment_Equality or read *Your Employment Rights Explained* booklet developed by IHREC.

- **DISCRIMINATION IN THE PROVISION OF GOODS AND SERVICES** is covered by the **Equal Status Acts 2000–2015**¹⁴. If you are trying to access goods or services, whether provided by the state or the private sector, and you feel you are discriminated against on any of the prohibited grounds, you can make a claim under these Acts.

The legislation covers many different goods and services provided by the state or the private sector and generally available to the public. These include facilities for refreshments, entertainment, banking, insurance, grants, credit facilities, transport and travel services. Discrimination in the disposal of premises, provision of accommodation, admission to, access to and conditions of participation in educational courses or establishments are also prohibited subject to some exemptions.

The Acts apply to anyone who: buys or sells goods that are available to the public or a section of the public; uses or provides services that are available to the public or a section of the public; provides or uses accommodation (landlords, tenants, hotels and so on); or attends or manages a pre-school, school, college or other educational establishment.

➔ **Find out more here:** www.workplacelrelations.ie/en/What_You_Should_Know/Equal_Status/ or read *Your Equal Status Rights Explained* booklet developed by IHREC.

COMPLAINTS IN RESPECT OF REGISTERED CLUBS AND LICENSED PREMISES (such as bars, nightclubs etc.) may only be referred to the District Court and not to the Workplace Relations Commission.



3. REPORTING RACIST DISCRIMINATION

3.1. Discrimination and the law

The types of racial discrimination covered by Irish Equality legislation include:

- **Direct discrimination** when a person is treated less favourable than another, in similar circumstances, because of his or her 'race', ethnicity, national origin, nationality or skin colour.
- **Indirect discrimination** is about practices or policies, some of which may superficially appear to be fair, but which in effect result in discrimination against one or more ethnic minority groups. It happens where people are, for example, refused employment because of a policy, practice, or requirement that they find hard to meet because of their background. Indirect discrimination can be intentional or unintentional, for example the effect of not accepting equivalent qualifications obtained outside of Ireland can be discriminatory.
- **Discrimination by association** happens when a person associated with another person who belongs to a particular ethnic minority is treated worse because of that association.
- **Discrimination by imputation** happens when a person is treated worse because they are assumed to belong to one of the categories covered by the nine grounds, whether that is the case or not.
- **Harassment** any form of unwanted conduct related to any of the discriminatory grounds which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other materials.
- The Equality Acts (Employment and Equal Status) specifically protect a person against **victimisation**, which means penalising a person for making a complaint of discrimination, harassment, or for giving evidence in someone else's complaint or lawfully opposing unlawful discrimination.

VICARIOUS LIABILITY: An employer or a provider of goods or services (private or public) is responsible for making sure that anyone who has a right to be on their premises is not harassed and they must take steps to prevent it from happening. It means that if you are harassed in your workplace or while accessing services, the person in charge of that place could be held responsible for the harassment, unless they can establish that they took reasonably practicable steps to prevent an employee or a service user from being harassed. This includes, for example, employers, school principals, shopkeepers, landlords, public servants and so on.



3.2. Where to report discrimination?

There are two main statutory bodies responsible for ensuring that the equality laws in the workplace and in the provision of goods and services are promoted and upheld in Ireland. Those are the **WORKPLACE RELATIONS COMMISSION (WRC)**, which is like a court, and the **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)**. Claims of discrimination in relation to clubs and licensed premises are dealt with separately in the **DISTRICT COURT**. **See: 3.4.9. PUBS, HOTELS, CLUBS →**

Additionally, there are other organisations that may support your case, offer advocacy or alternative options for getting redress. This chapter provides information about the internal complaints procedures of various bodies should you wish to bring your case to their attention. Organisations relevant to dealing with **workplace racism** are listed in **Chapter 3.3** and those which may help address **racism in the provision of specific goods and services** in **Chapter 3.4**.

THE IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)

16-22 Green Street, Rotunda, Dublin 7

→ **General Queries:** T: 01 858 9601 E: info@ihrec.ie **WEB:** www.ihrec.ie

→ **Your Rights service:** T: 01 858 3000 **Lo-call:** 1890 245545
E: YourRights@ihrec.ie **WEB:** www.ihrec.ie/your-rights/can-we-help/

The **Your Rights** service provides information on your rights and the remedies available to you under equality and human rights law in Ireland.

The IHREC provides general information and legal information to the public on human rights and equality legislation. It can advise and support you to bring a discrimination claim, but it has no power to decide a case. The IHREC may provide legal assistance or representation to people before the Workplace Relations Commission (see below) or other relevant Courts. Guidance on applying for legal assistance is available on request.

If IHREC does not grant you legal assistance this does not stop you from bringing your case to the WRC. You can represent yourself or be represented by a lawyer, trade union or other representative.



3. REPORTING RACIST DISCRIMINATION

3.2. Where to report discrimination

WORKPLACE RELATIONS COMMISSION (WRC)

Workplace Relations Customer Service, Department of Business, Enterprise and Innovation, O'Brien Road, Carlow

T: 059 917 8990 **Lo-call:** 1890 808 090 **WEB:** www.workplacelrelations.ie

- ➔ **Contact details of the Workplace Relations bodies:** www.workplacelrelations.ie/en/Contact_Us/Contact_Details/
- ➔ **Overview of the complaint process:** www.workplacelrelations.ie/en/Complaints_Disputes/Complaint_Process/

Established in 2015, the WRC has taken over the functions of the National Employment Rights Authority, the Labour Relations Commission and the Director of the Equality Tribunal. WRC is an independent, statutory body. It provides general information on employment law, equality and industrial relations to both employers and employees. It deals with all complaints of discrimination in employment and access to goods and services. It is like a court and it has the power to investigate, judge and decide on equality cases.

DISCRIMINATION COMPLAINTS MADE TO THE WRC COME UNDER THE FOLLOWING EQUALITY LEGISLATION:

- The Employment Equality Acts 1998–2015, which outlaw discrimination at work and access to work.
- The Equal Status Acts 2000–2015, which outlaw discrimination in the provision of goods and services provided by the state or the private sector. [See: 3.1.](#)
[DISCRIMINATION AND THE LAW](#) ←
- WRC **cannot** deal with complaints about licensed premises and registered clubs. To pursue a complaint you must take your case to the DISTRICT COURT. [See: 3.4.9.](#)
[PUBS, BARS AND LICENSED PREMISES](#) →



3. REPORTING RACIST DISCRIMINATION

3.2. Where to report discrimination



MAKING A DISCRIMINATION COMPLAINT OR REFERRING A WORKPLACE OR THE PROVISION OF GOODS AND SERVICES DISPUTE TO THE WRC:



STEP 1: BEFORE MAKING A COMPLAINT TO THE WRC UNDER THE EQUAL STATUS ACTS

This step applies to the Equal Status complaints only and is not required while making complaints in relation to workplace disputes under the Employment Equality Acts. In workplace discrimination cases the complaint process starts from the Step 2 below.

- Before making a complaint to the WRC in relation to the provision of goods and services (under the Equal Status Acts), you must **notify the respondent** (the person/organisation/company against which you are considering a complaint) **in writing**, of the alleged discrimination.

- ✓ **Form ES1 for the person making complaint:** To provide the notification of your complaint, fill this form in with information concerning the alleged discrimination.
- ✓ **Form ES2 for the respondent:** This form must be sent to the respondent for them to fill in and give them a chance to outline what happened from their point of view.

Both ES1 and ES2 forms are available here: www.workplacerelations.ie/en/What_You_Should_Know/Equal_Status/

- You must send **both forms directly to the respondent** and NOT to the WRC **within 2 months** of the last act of discrimination in question.
- **The respondent is not obliged to respond to this notification**, but if they don't or if they provide false or misleading information, an Adjudication Officer may take account of this when he or she is deciding your case.




3. REPORTING RACIST DISCRIMINATION

3.2. Where to report discrimination



STEP 2: MAKING A COMPLAINT TO THE WRC

- You can make a complaint to the WRC within 6 months of the discrimination you are complaining about (or the last incident, if there were many) if:
 - ✓ **Equal Status cases:**
 - You have not received a reply to your notification from the respondent within a **month**. *See: STEP 1* , or
 - If you are not satisfied with a reply you have received. A copy of the notification and the respondent's reply should be sent with the Complaint Form to the WRC.
 - ✓ **Employment Equality cases:**
 - You are making a workplace related complaint under the Employment Equality Acts.
- Use the **e-Complaint Form** available on the www.workplacerelations.ie homepage and provide as much information as possible. You can submit multiple complaints at the same time.
- The WRC is impartial between the complainant and respondent and **all material received from one party will be copied to the other**, so that both parties are fully aware of all the material received.



STEP 3: AT THE WORKPLACE RELATIONS COMMISSION (WRC)

- When the WRC receives your complaint, it will deal with it by either mediation or investigation, or both.
 - ✓ **Mediation:** If both parties agree to enter the process, the WRC appoints a neutral mediation officer to help them reach an agreement and settle the dispute. If a settlement is reached through mediation, both parties must agree on its terms which are legally binding and can be enforced through the Courts.
 - ✓ **Adjudication:** If the case is not dealt with by mediation or it fails, the claim will be referred to an adjudication officer who will investigate the claim and make a legally binding decision based on oral and written evidence of both parties at the hearing.
- If you are making a complaint to WRC, you may represent yourself or you can choose to be represented by a lawyer, trade union, community group or some other representative.
- You pay for your own representation.



STEP 4: RESULTS

- **Winning a claim:** If you win your claim, different types of orders can be made including one or more of the following: compensation, an order for equal pay or equal treatment, and/or an order that somebody take a specified action.
- **Dismissing a claim** can happen when:
 - ✓ An adjudication officer considers that the claim was made for the wrong reasons – for example, to irritate or annoy somebody or not related to any of the listed grounds of discrimination.
 - ✓ After a year, it appears that the person making the complaint has decided to drop it.



STEP 5: APPEALS AND BEYING THE RULING

- **Appeals:** Either party unsatisfied with the WRC's decision may appeal it in writing to:
 - ✓ **THE LABOUR COURT** (Employment Equality cases) using the Labour Court Appeals Form or
 - ✓ **THE CIRCUIT COURT** (Equal Status cases) using the appeal form available from the Circuit Court Office.
- ➔ **Details of the appeal process:** www.workplacelrelations.ie/en/Appeals/

Appeals must be made within 42 days of the date of the decision. If no appeal is lodged after this period, the decision is legally binding.

- **Where a decision is made on an appeal:** Either party to the dispute may appeal the Labour Court's or the Circuit Court's decision further to the **HIGH COURT** on a point of law, where the Court does not deal with the facts of the case, but instead decides on the interpretation of the law itself.
 - ✓ All claims must pass through the WRC first.
 - ✓ You can represent yourself or be represented by a lawyer, trade union or other representative.
 - ✓ Unlike the WRC, costs are awarded in the Circuit Court and other courts.



3. REPORTING RACIST DISCRIMINATION

3.2. Where to report discrimination

- **Obeing the ruling:** If the WRC decision has not been appealed and the adjudicator's decision or any settlement terms are not carried out within **56 days** from the date the decision was issued to the parties, the matter can be brought to the **DISTRICT COURT** to enforce the decision. The application must be made to a judge of the District Court in which the Employer/Respondent concerned ordinarily resides by:
 - ✓ The Employee/Complainant or their legal representative,
 - ✓ A Trade Union, with consent of employee, or
 - ✓ An excepted body of which the employee/complainant is a member.
- ➔ A list of **DISTRICT COURT OFFICES** is available on the Court Services website under 'Contact Us': **WEB:** www.courts.ie

More information about the procedures in the investigation of employment and equality complaints is available on www.workplacerelations.ie.





3.3. Racism in the workplace

Racist conduct at work usually takes the form of discrimination, racial harassment, or bullying. Bullying and harassment are often mixed up and treated as the same class of problematic behaviour that arises in the workplace. However, it is important to distinguish bullying from other inappropriate behaviours such as harassment. Laws relating to bullying and harassment are different, therefore the approaches to preventing and dealing with these behaviours in the workplace will also differ.

3.3.1. Racist discrimination at work

Discrimination in the workplace is outlawed by the **Employment Equality Acts 1998-2015** to ensure people have equal opportunities in relation to skills, training, jobs and promotion. Even once-off incident is enough to claim discrimination or harassment in the workplace.

The types of illegal discrimination in the workplace are listed and defined in

3.1. DISCRIMINATION AND THE LAW. ←

HARASSMENT AT WORK

Employment Equality Acts 1998-2015¹⁵ obliges employers to prevent harassment in the workplace. In the context of employment, sexual harassment and harassment on any of the 9 grounds (gender, civil status, family status, sexual orientation, religion or none, age, disability, 'race' or membership of the Traveller community) are forms of discrimination.

- ➔ *Code of Practice on Guidance, Prevention and Procedures for dealing with Sexual Harassment and Harassment at Work¹⁶* made under the Employment Equality Act, 1998 provides guidelines for employers and employees and is under the remit of the WORKPLACE RELATIONS COMMISSION.



3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace

HOW TO DEAL WITH DISCRIMINATION AT WORK?

If you feel you may be experiencing racial discrimination or harassment in the workplace you should contact the statutory agencies such as the **WORKPLACE RELATIONS COMMISSION (WRC)** and the **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** and follow complaint procedures listed in **3.2. WHERE TO REPORT DISCRIMINATION**. ⬅ Dealing with those agencies may be confusing at times and you may not be sure where to start, hence, it's strongly recommended to seek advice from a professional specialising in equality issues and employment law before making a formal complaint.

There are various trade unions, organisations and lawyers across Ireland in a position to provide support and advocacy to deal with workplace discrimination cases. The support may range from advising you on your options and rights, writing letters or filling forms to legal advice and representation. Contact each trade union or organisation listed below directly to check the range of services on offer.

Trade unions

Trade unions have an extensive experience in dealing with workplace disputes and can support individuals who feel they have experienced racism or have been unfairly treated against at work. Members of trade unions can avail of legal advice and discuss discrimination with union representatives who can act on workers' behalf with employers and represent them at the Workplace Relations Commission hearings.

The following trade unions are members of the ENAR Ireland Network:

FÓRSA

Dublin HQ:

- ➔ **Adelaide House: T: +353 1 676 5394**
 - ➔ **Nerneys Court: T: +353 1 817 1500**
 - ➔ **30 Merrion Square, Dublin 2: T: +353 1 676 7271**
- E: info@forsa.ie WEB: www.forsa.ie**

Fórsa trade union represents over 80,000 members in the public service, as well as the commercial sector, state agencies, some private companies and in the community and voluntary sector. Check the website for the regional offices' contacts.

3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace



IRISH CONGRESS OF TRADE UNIONS (ICTU)

31-32 Parnell Square, Dublin 1

T: 01 889 7777 E: congress@ictu.ie WEB: www.ictu.ie

Congress is the largest civil society organisation on the island of Ireland, representing and campaigning on behalf of some 800,000 working people. It is an umbrella organisation with 44 unions affiliated to Congress, north and south of the border.

THE IRISH NURSES AND MIDWIVES ORGANISATION (INMO)

The Whitworth Building, North Brunswick Street, Dublin 7

T: 01 664 0600 E: inmo@inmo.ie WEB: www.inmo.ie

The INMO, as the largest professional union for nurses and midwives, represents over 40,000 members in all disciplines and areas of the Irish health service.

THE SERVICES, INDUSTRIAL, PROFESSIONAL AND TECHNICAL UNION (SIPTU)

Head Office, Liberty Hall, Dublin 1

T: 01 858 6300 Lo Call: 1890 747 881 E: info@siptu.ie WEB: www.siptu.ie

SIPTU represents over 200,000 workers from virtually every category of employment across almost every sector of the Irish economy. SIPTU provides the expertise, experience and back-up services necessary to assist workers in their dealings with employers, government and industrial relations institutions.

SIPTU Workers Rights Centre

T: 1890 747 881 E: wrc@siptu.ie WEB: www.workersrightscentre.ie

SIPTU Workers Rights Centre is a specialised department that deals with concerns relating to treatment of individual employees in the workplace. The Centre provides information, advice and representation in relation to workplace discrimination, bullying, disciplinary process and any other employment law and industrial relations. It can also provide representation at the Workplace Relations Commission hearings.

UNITE THE UNION IRELAND

55/56 Middle Abbey Street, Dublin 1

T: 01 873 4577 WEB: www.unitetheunionireland.org

Unite is the largest trade union in Britain and Ireland with 1.5 million members. Its structure is based around the industries their members work in and the regions where they live. It is a democratic and campaigning union which fights back for employees in the workplace, protecting workers' rights and taking trade unionism to millions of unrecognised workers. It is a union that stands up for equality for all and advances the interests of its members on a political and national level.



3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace

Advocacy organisations

CAIRDE

See: 3.4.5. HEALTH AND FAMILY →

CITIZEN INFORMATION SERVICES (CIS)

Citizens Information Board, Ground Floor, George's Quay House, 43 Townsend Street, Dublin 2

T: 0761 07 4000 (Citizens Information Phone Service)

E: information@citizensinformation.ie

WEB: www.citizensinformation.ie; www.citizensinformationboard.ie

→ Find your local CIS: <http://centres.citizensinformation.ie/>

CIS provides free, confidential and impartial information, advice and advocacy on all aspects of public services and entitlements in Ireland. A nationwide network of 42 CISs delivers information from 262 locations.

DORAS LUIMNÍ

Central Buildings, 51a O'Connell Street, Limerick

T: 061 310 328 E: info@dorasluimni.org WEB: www.dorasluimni.org

Doras Luimní is an independent, on-profit, non-governmental organisation working to support and promote the rights of all migrants living in Limerick and the wider Mid-West region through their Direct Support services which assist migrants in accessing their rights and entitlements. Doras Luimní is an iReport.ie Racist Incident Reporting Centre.

IMMIGRANT COUNCIL OF IRELAND (ICI)

2 St Andrew Street, Dublin 2

Helpline: 01 674 0200 Admin: 01 674 0202 E: stopracism@immigrantcouncil.ie

WEB: www.immigrantcouncil.ie

The ICI is an independent human rights organisation advocating for the rights of migrants and their families. ICI's Information and Support Service provides detailed confidential information about issues within the Irish immigration system. Callers with complex cases may be referred to the ICI's Legal Service which offers high quality legal advice and representation to migrants who have experienced human rights abuses. They can provide support and advice to migrants in relation to their immigration status in Ireland, their immigration-related dependency on abusive family members and a range of issues facing victims of trafficking, including liaison with An Garda Síochána.

3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace



IRISH NATIONAL ORGANISATION FOR THE UNEMPLOYED (INOUE)

Araby House, 8 North Richmond Street, Dublin 1

T: 01 856 0088 **E:** info@inoue.ie **WEB:** www.inoue.ie

The INOU works at local and national levels on issues affecting unemployed people. Among other services INOU provides welfare rights and welfare to work information and advocacy service. It aims to ensure that unemployed people, and those in receipt of social welfare payments seeking to return to employment, have access to comprehensive welfare rights information and advocacy services.

IRISH REFUGEE COUNCIL (IRC)

37 Killarney Street, Mountjoy, Dublin 1

T: 01 764 5854 **E:** info@irishrefugeecouncil.ie **WEB:** www.irishrefugeecouncil.ie

IRC is Ireland's only national non-governmental organisation which specialises in working with refugees and people applying for international protection. The IRC's priorities are: delivering high quality advice, information and support to people through its free and confidential Drop-In Centre and Law Centre; youth empowerment and engagement; holistic integration; awareness raising and advocacy work to promote the rights of refugees; developing best practice models, evidence based research and policy briefs in order to bring about positive change to practice and policy; and capacity building with key stakeholders. IRC is an iReport.ie Racist Incident Reporting Centre.

MIGRANT RIGHTS CENTRE IRELAND (MRCI)

13 Lower Dorset Street, Dublin 1

T: 01 889 7570 **E:** info@mrci.ie **WEB:** www.mrci.ie

MRCI provides free and confidential information, advice and assistance on immigration and employment issues of all kinds to migrants and their families. The MRCI supports several campaign groups including groups for domestic workers, au-pairs, undocumented migrants and victims of trafficking for forced labour, and runs Migrants' Forums where issues of racist discrimination at work can be addressed. The MRCI is an iReport.ie Racist Incident Reporting Centre.

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

34 Paul Street, Cork

T: 021 427 3594 **E:** info@nascireland.org **WEB:** www.nascireland.org

Nasc works to enable migrants to access justice and human rights and works to ensure a just, inclusive and integrated society. They provide information, advice and



3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace

support to all migrants, including work permit holders, asylum seekers and refugees, EU nationals and non-EEA nationals. Nasc hosts a drop-in service three days a week and offers legal advocacy for complex immigration and social protection related cases. Nasc also operates a racism reporting service where you can report all forms of racism and discrimination. Nasc will provide direct support to victims and will work with victims to seek redress. Nasc is an iReport.ie Racist Incident Reporting Centre.

FREE LEGAL ADVICE on employment rights is available from various organisations across Ireland.

See: **PART III. SUPPORTING VICTIMS OF RACISM: 3.3. LEGAL SUPPORT** for details. →





3.3.2. Racist bullying at work

WHAT IS BULLYING IN THE WORKPLACE?

BULLYING IN THE WORKPLACE (also called 'mobbing') is defined by the Health and Safety Authority¹⁷ (HSA) as "repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work".

- In the workplace environment conflicts and interpersonal difficulties may arise. However, only inappropriate and/or aggressive behaviour which is **systematic and ongoing** should be regarded as bullying. Isolated, once-off incidents of such behaviour are not considered to be bullying.
- Bullying can be carried out by supervisors, managers, subordinates, fellow employees, customers, business contacts or members of the public.

BULLYING AND HARASSMENT AT WORK – WHAT'S THE DIFFERENCE?

- **Harassment** is closely related to bullying, but they are not the same. Unlike bullying, harassment falls under the Equality Acts and occurs when an unwanted behaviour is based on the targeted person being a member of any of nine groups (grounds) specified within the equality legislation. **See: 3. REPORTING RACIST DISCRIMINATION** Even a single incident can constitute harassment, if such unwanted, hostile behaviour towards an employee is based on any of the nine those grounds.
- In general, **bullying** is governed by Safety, Health and Welfare at Work Act, 2005. It is not specific to a any distinct group and can be happening for a variety of reasons. However, in situations where bullying is based on any of the nine grounds listed in the equality legislation, such behaviour can be discriminatory and fall under the remits of Equality Acts. Only **systematic and ongoing** aggressive and/or inappropriate behaviour is regarded as bullying and once-off incident is not considered to be bullying.



3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace

FORMS OF BULLYING

A pattern of the following behaviours is listed by HSA¹⁸ as examples of workplace bullying.

- Exclusion with negative consequences.
- Verbal abuse/insults.
- Physical abuse. The HSA advises that where it may be a risk, employers have a dedicated policy on violence and assault with no tolerance of such behaviour
- Being treated less favourably than colleagues.
- Intrusion – pestering, spying or stalking.
- Menacing behaviour.
- Intimidation.
- Aggression.
- Undermining behaviour.
- Excessive monitoring of work.
- Humiliation.
- Withholding work-related information.
- Repeatedly manipulating a person's job content and targets.
- Blame for things beyond the person's control.
- Cyber-bullying which is taking place on the internet or mobile phones, through social networking sites, email and texts.

BULLYING AT WORK AND THE LAW

Employers are required to prevent bullying at work by three separate pieces of legislation accompanied by Codes of Practice designed to provide guidelines on arrangements, procedures and tackling workplace bullying.

- **Safety, Health and Welfare at Work Act, 2005¹⁹** requires an employer to 'prevent any improper conduct or behaviour likely to put the safety, health and welfare of employees at risk'.
 - ➔ *Code of Practice on the prevention of Workplace Bullying* made under the Safety, Health and Welfare at Work Act, 2005 is under the remit of the HEALTH AND SAFETY AUTHORITY.
- **Industrial Relations Act, 1990²⁰**
 - ➔ *Code of Practice detailing Procedures for Addressing Bullying in the Workplace* made under the Industrial Relations Act, 1990 is under the remit of the WORKPLACE RELATIONS COMMISSION.

3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace



- Employment Equality Acts, 1998-2015 applies when bullying at work is related to one of the discriminatory grounds covered by the Acts.

➔ *Code of Practice on Guidance, Prevention and Procedures for dealing with Sexual Harassment and Harassment at Work*²¹ made under the Employment Equality Act, 1998 is under the remit of the WORKPLACE RELATIONS COMMISSION

For more information on the topic see: Bullying and Harassment - Legal Position and Complaint Resolution Procedures produced by IMPACT.

HOW TO DEAL WITH WORKPLACE BULLYING?

The HSA Code of Practice recommends dealing with cases of bullying internally through informal resolution by a responsible person and a formal complaints procedure. Only if the internal processes fail, should support be sought from outside.

REMEMBER

To accuse someone of bullying is a serious thing and so should only be done carefully, in confidence and with a reasonable proof indicating that the bullying is occurring. There could be consequences for defaming or libelling a person.

Please note that the below steps are for guidance only. Seek advice of your representative (i.e. lawyer, trade union rep etc.), refer to the relevant Code of Practice and to your company's own Bullying Prevention Policy for detailed procedures.



STEP 1: PREPARE YOUR CASE

- **Collect evidence to build your case.** Keep a diary of all bullying incidents (what, when and where it happened, who was involved, if someone witnessed it, what effect it had on you). Keep a record of all correspondence and possible evidence of bullying (i.e. photos, emails, screenshots and content links in a case of cyber-bullying etc).
- Ask your **MANAGER** or someone in **HUMAN RESOURCES** for the copy of **company's Bullying Prevention Policy** and follow the procedure. Seek help and advice from a **CONTACT PERSON** nominated by the employer within the policy to act as an initial facilitator where bullying is being alleged.
- **If the workplace has no adequate policy on bullying**, you may register a complaint in relation to that with **WORKPLACE CONTACT UNIT** of the **HEALTH AND SAFETY AUTHORITY (HSA)**. Before doing so, seek advice from your **TRADE UNION REPRESENTATIVE**, relevant **ADVOCACY ORGANISATION** or a **LAWYER**.



3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace



STEP 2: INTERNAL PROCESS

- If the informal process fails and the situation continues or is worse **make a formal (written) complaint** to **YOUR SUPERVISOR** or **MANAGEMENT** following your company's Bullying Prevention Policy. Include detailed information of all bullying incidents. Guidance for investigations and the formal procedure can be found in HSA's Code of Practice available on their website at www.hsa.ie.
- If other efforts fail a **formal internal investigation** should be conducted by a designated member(s) of management to establish the facts, present them to the person complained of, assess the credibility of a complaint of bullying and to determine an appropriate course of action. Steps should be agreed with all involved to stop the bullying behaviour and to monitor the situation along the specified lines.
- A professional **mediation** may be required where both parties can negotiate their own agreement on a clear and informed basis. If the issue is to be resolved, both parties must agree to partake.
- If a complaint is upheld the matter becomes a disciplinary issue and the employer should follow the appropriate disciplinary procedures. If it has been found that the complaint was maliciously made, the employer can invoke a disciplinary procedure against the person who made such a complaint.



STEP 3: EXTERNAL INTERVENTION

- If all internal procedures have not resolved a bullying complaint and/or you feel your company is not taking it seriously, you may seek help externally and contact the **WORKPLACE RELATIONS COMMISSION (WRC)** either under employment equality or industrial relations legislation; or **HEALTH AND SAFETY AUTHORITY (HSA)** under health and safety legislation. *See: BULLYING AT WORK AND THE LAW box previously in this section* ← and **3.2. WHERE TO REPORT DISCRIMINATION?** ←

WORKPLACE RELATIONS COMMISSION (WRC)

See: 3.2. WHERE TO REPORT DISCRIMINATION ←

WRC can assess how procedures were applied in bullying cases and can intervene in a range of ways, including a new investigation. Findings of the WRC are delivered as recommendations and can be appealed to the **LABOUR COURT**.

3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace



HEALTH AND SAFETY AUTHORITY, WORKPLACE CONTACT UNIT (WCU)

Metropolitan Building, James Joyce Street, Dublin 1

T: 01 614 7000 LoCall: 1890 289 389 E: wcu@hsa.ie

WEB: www.hsa.ie/eng/Contact_Us/Workplace_Contact_Unit/

The WCU is the primary point of contact and a helpdesk resource for employers, employees and members of the public. If the problem at your workplace is the lack of an adequate policy on bullying, you may register a complaint with the WCU. They will ask your employer by letter for their anti-bullying policy and then send this to you without your employer knowing who you are. The HSA is not in a position to get involved in mediating or investigating your bullying complaint, but they can provide advice and support where necessary and use its powers of enforcement if bullying is a serious issue which is not controlled, and the safety, health and welfare of employees is at risk.

The role of the HSA in respect of bullying at work is to monitor whether employers and employees are meeting their obligations and duty of care under the **Safety, Health and Welfare at Work Act 2005 Act**.

HSA can use their statutory powers to:

- ✓ Ensure that a suitable policy is in place.
- ✓ Direct that the procedures in **Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work 2007** be observed.
- ✓ Ensure that complaints are investigated in accordance with the terms set out in the policy, in line with the Duty of Care of employers regarding **Section 8 2. A and B of the Safety, Health and Welfare at Work Act 2005**.

Under health and safety or unfair dismissals legislation, it is illegal for an employer to punish, dismiss or treat you differently if you report them for bullying. If you feel that you are penalised at work because you raised a bullying issue, you should take this matter, through **Section 27 of the Safety, Health and Welfare at Work Act, 2005²²** to the **WORKPLACE RELATIONS COMMISSION**.

- **Additional external information and advice**, apart from **WRC** and **HSA**, is available from organisations such as **TRADE UNION** representing your industry, your local **CITIZEN INFORMATION SERVICE**, or **IHREC** and their **YOUR RIGHTS SERVICE**. These organisations can give you advice on your options, rights and, at times act on your behalf. [See: USEFUL CONTACTS below →](#)



3. REPORTING RACIST DISCRIMINATION

3.3. Racism in the workplace

OTHER OPTIONS

- **If you are forced to leave your job** because of the bullying, you may be entitled to claim that you were “constructively dismissed” under the **Unfair Dismissals Acts, 1977-2007**²³. This means that although you left your job voluntarily, you were forced to do so because of the way that you were being treated. If you qualify under the unfair dismissals legislation, you may make a claim to the **WORKPLACE RELATIONS COMMISSION**.

It is important to **always get legal advice** before you decide to leave your job. *See:*

PART III. SUPPORTING VICTIMS OF RACISM: 3.3. LEGAL SUPPORT. →

- **Personal injury claim:** If the bullying or harassment at work is so great that it affects your physical or mental health, you may also be entitled to bring a claim for compensation for personal injury. To do so, first seek a legal advice and get a medical report as proof of the damage to your health. Although you cannot seek compensation from your employer under the health and safety legislation, you can make a personal injury claim through **PERSONAL INJURIES ASSESSMENT BOARD**. *See: USEFUL CONTACTS below* →

USEFUL CONTACTS

CITIZEN INFORMATION SERVICE, TRADE UNIONS, and other ADVOCACY SERVICES

See: 3.3.1. RACIST DISCRIMINATION AT WORK for details. ←

IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)

See: 3.2. WHERE TO REPORT DISCRIMINATION ←

NATIONAL ANTI-BULLYING RESEARCH AND RESOURCE CENTRE (ABC) AT DUBLIN CITY UNIVERSITY

Room C108/C110, DCU Institute of Education, St. Patrick's Campus, Drumcondra, Dublin 9
T: 01 884 2012 **E:** geraldine.kiernan@dcu.ie **WEB:** www.dcu.ie/abc/

ABC is a national research and resource facility dedicated to the study of bullying behaviour in the workplace and to the development of resources and training to support individuals and organisations to prevent and intervene in bullying situations.

PERSONAL INJURIES ASSESSMENT BOARD (PIAB)

InjuriesBoard.ie, PO Box 8, Clonakilty, Co. Cork
T: 1890 829 121 **E:** enquiries@injuriesboard.ie **WEB:** www.injuriesboard.ie

PIAB is the Government body which assesses claims for compensation for anyone who has been in an accident and suffered an injury.



3.4. Racism in the provision of goods and services

Racist discrimination in the provision of goods and services is outlawed by the Equal Status Acts and should be reported to the **WORKPLACE RELATIONS COMMISSION (WRC)**, which is like a court. **The IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. However, if you wish to deal with the incident informally, you may complain directly to the organisation, body or service in question. It's important to note, that while it is illegal for all service providers to discriminate based on grounds listed in the equality legislation, their complaint procedures, as listed in the chapters below, are usually not specific to racist incidents. However, they may be used for making complaint and be enough for you to get redress.

If you feel that the organisation or service in question doesn't treat your complaint seriously or if you are not happy with the outcome of your case, you can then make a formal complaint to the WRC.

See: 3.1. **DISCRIMINATION AND THE LAW** ← and 3.2. **WHERE TO REPORT DISCRIMINATION** ← for more information on discrimination, complaint procedure and contact details of WRC and IHREC.

The following chapters discuss options available to you depending on where the discrimination took place: a public body, immigration service, social welfare service, health and family, housing, education, youth service, sport, transport or pubs and clubs.





3. REPORTING RACIST DISCRIMINATION

3.4.1. Public bodies

3.4.1. Public bodies

Public bodies include government departments, local authorities, the Health Service Executive, Gardaí, most educational institutions, and all companies or bodies financed by government or that act in the public interest. If you are not satisfied with a service provided to you by the state, you have the right to complain.

PUBLIC SECTOR EQUALITY AND HUMAN RIGHTS DUTY

Public Sector Equality and Human Rights Duty is a legal obligation outlined in the **Section 42 of the Irish Human Rights and Equality Commission Act 2014²⁴**. It places responsibility on all public bodies in Ireland to promote equality of opportunity for all staff, customers and service users; prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans.

The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** has been given specific functions in relation to the Public Sector Duty. Where the Commission considers there are failures to fulfil the Public Sector Duty, it can invite a public body to carry out an equality and human rights review of the work of the organisation and prepare and implement an action plan.

More information: www.ihrec.ie/our-work/public-sector-duty/

- In cases of discrimination by a public body you should follow the **WORKPLACE RELATIONS COMMISSION's** complaints procedure under Equal Status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION? for details.** ←
- Most public agencies have a **CUSTOMER SERVICES SECTION** that responds to complaints, feedback or suggestions. They can also advise how to proceed with your complaint.
- If you feel **unhappy with a public service you received or you were denied a service you think you were entitled to**, you can make a complaint to the relevant Ombudsman office listed below (**OFFICE OF THE OMBUDSMAN, OFFICE OF THE OMBUDSMAN OF CHILDREN or GARDA SÍOCHÁNA OMBUDSMAN COMMISSION**). Before doing so, you must first bring your complaint directly to

3. REPORTING RACIST DISCRIMINATION

3.4.1. Public bodies



the **PUBLIC BODY** concerned and try to resolve your issue with them. If after going through the internal complaint procedure of the public body you are not satisfied with the outcome or you haven't received a response, you can bring your complaint to the Ombudsman office.

THE OFFICE OF THE OMBUDSMAN PROVIDES THE FOLLOWING TIPS TO FOLLOW IF SUBMITTING A COMPLAINT TO A PUBLIC BODY²⁵:

- Facts are always more important than opinions so, stick to the facts.
- Tell them what happened, who was involved, and when it happened.
- If, you have already tried to sort it out, tell them what you have done.
- Explain why you are unhappy and what you would like to be done to sort out the problem.
- Include any evidence you have including reference numbers, photos, copies of correspondence and anything else that explains what happened.
- Give them your contact details and if possible, a mobile phone number.
- You should never make offensive remarks about the people you have been dealing with.
- If you have no evidence to support any views you have, it is better if you don't include them.

➔ MAKING A COMPLAINT TO THE OMBUDSMAN

OFFICE OF THE OMBUDSMAN

18 Lower Leeson Street, Dublin 2

T: 01 639 5600 Lo-call: 1890 223 030 E: info@ombudsman.ie

WEB: www.ombudsman.ie

The Ombudsman takes and investigates complaints from members of the public who feel they have been unfairly treated by public bodies. The Ombudsman can examine decisions, refusals to take action and administrative procedures of certain **public bodies** such as:

- Government Departments and Offices
- Local Authorities
- The Health Service Executive



3. REPORTING RACIST DISCRIMINATION

3.4.1. Public bodies

- Agencies, such as charities and voluntary bodies, that deliver health and social services on behalf of the HSE
- Publicly funded third-level education bodies
- Public bodies covered by the Disability Act, 2005. See the full list of the eligible bodies on the Ombudsman website [here](#).

You **cannot** complain to the Ombudsman about bodies such as An Garda Síochána, An Post, Bus Éireann or any private sector organisations.



STEP 1: BRING THE COMPLAINT TO THE PUBLIC BODY CONCERNED FIRST.

- Try to resolve the problem with the public body in question and follow their internal complaints procedure, **before** bringing it to the Ombudsman. This will give this organisation a chance to sort it out. Go to their website to learn more about the complaint procedure.



STEP 2: MAKE A COMPLAINT TO THE OMBUDSMAN.

- If you have been unable to sort out the problem with the body concerned, you can make a complaint to the Ombudsman in writing, by telephone, in person, by email, or by using the **online complaint form**. You can also download the complaint form from their website and send it by post.
- You should make your complaint **within 12 months** of the incident you want to complain about.



STEP 3: EXAMINATION, INVESTIGATION AND DECISION.

- After a complaint to the Ombudsman, a preliminary examination will be carried out to decide whether a formal investigation is necessary.
- If the Ombudsman finds in your favour, they may make recommendations to the public body to act to put things right. It may include an apology and an explanation from the public body or, in exceptional cases, compensation for financial loss or for the time and trouble taken in pursuing a complaint.
- The Ombudsman only has the power to make a recommendation. The findings are not legally binding, and the Ombudsman cannot force the body to accept or act upon the decision.
- If the body that you complained about fails to act upon the decision of the Ombudsman, the Ombudsman may make a report to the Houses of the Oireachtas.

3. REPORTING RACIST DISCRIMINATION

3.4.1. Public bodies



- If they find that the public body has acted correctly, they will contact you and explain their decision.



STEP 4: APPEAL.

- If you are not satisfied with the outcome of your complaint to the Ombudsman, you can appeal within one month of the decision letter. Send your appeal to the **APPEALS MANAGER** who will consider whether an appeal should be accepted:
 - ➔ **By email:** appeals@ombudsman.ie
 - ➔ **In writing:** **THE APPEALS MANAGER**, Office of the Ombudsman, 18 Lower Leeson Street, Dublin 2
- The leaflet How we are dealing with your complaint explaining the complaints and appeals process will be included with the acceptance of complaint letter sent to you. Go to the Ombudsman website to read about their Appeals Procedure.



MAKING A COMPLAINT TO THE OMBUDSMAN FOR CHILDREN

OFFICE OF THE OMBUDSMAN FOR CHILDREN (OCO)

Millennium House, 52-56 Great Strand Street, Dublin 1

Free phone: 1800 202 040 (Complaints contact) **T:** 01 865 6800

E: ococomplaint@oco.ie **WEB:** www.oco.ie

The Ombudsman for Children can investigate complaints against a range of organisations funded by the State such as:

- Schools
- Hospitals
- The Health Service Executive (HSE)
- Local authorities
- Direct Provision Centres
- Public bodies that provide services to children and young people up to the age of 18.

It takes complaints by children or by adults on a child's behalf. The Ombudsman for Children cannot investigate complaints against private organisations.



3. REPORTING RACIST DISCRIMINATION

3.4.1. Public bodies



STEP 1: BRING A COMPLAINT TO THE PUBLIC BODY CONCERNED FIRST.

- Try to resolve problem with them and follow their internal complaints procedure, before bringing it to the OCO. This will give this organisation a chance to sort it out.



STEP 2: MAKE A COMPLAINT TO THE OCO.

- If you have been unable to sort out the problem with the body concerned, you can make a complaint to OCO by filling their online form, by telephone, by letter, by email or in person.



STEP 3: EXAMINATION, INVESTIGATION AND DECISION.

- If the OCO finds that the actions of an organisation had a negative effect on the child and was unfair then it may make recommendations to the organisation, but its findings are not legally binding.



STEP 4: APPEAL.

- ➔ If you are not satisfied with the outcome of your complaint to the OCO, you can appeal **within 1 month** of the decision by following their **Appeals Policy and Procedure**. You can do so:
 - ➔ **By email:** director@oco.ie for the attention of the Appeals Manager
 - ➔ **In writing:** **APPEALS MANAGER**, Ombudsman for Children's Office, Millennium House, 52-56 Great Strand Street, Dublin 1
- ➔ If you are not satisfied with the response, you are free to **challenge it through the courts using the judicial review process**. OCO will not be able to advise you about this and you should seek your own independent or legal advice on the matter.



➔ MAKING A COMPLAINT TO GARDA SÍOCHÁNA OMBUDSMAN COMMISSION

GARDA SÍOCHÁNA OMBUDSMAN COMMISSION (GSOC)

150 Upper Abbey Street, Dublin 1

LoCall: 1890 600800 **T:** 01 871 67 27 **E:** complaints@gsoc.ie (complaints)
orinfo@gsoc.ie (all other queries) **WEB:** www.gardaombudsman.ie

The GSOC is an independent statutory agency that is responsible for receiving and dealing with all complaints made by members of the public concerning the possible misconduct of members of the Garda Síochána.

Detailed information on GSOC complaint procedure is available from their website.



STEP 1: MAKE A COMPLAINT TO THE GSOC.

- You can make a complaint to GSOC if you are directly affected by or witnessed what you believe is misconduct of a member of the Garda Síochána as outlined in the Garda Síochána Discipline Regulations 2007²⁶. You can also complain on someone's behalf, with their consent. Making a complaint to the Garda Ombudsman is free of charge.
- You should issue your complaint **within 12 months** of the incident in question.
- GSOC makes **translation and interpreting services available** to anyone who needs it, so you can e-mail your complaint in your own language.
- You can make a complaint in the following ways:
 - ➔ **Online** by completing the online complaint form available on their website.
 - ➔ **By post:** print the form, complete it and post to Garda Ombudsman.
 - ➔ **By email:** complaints@gsoc.ie
 - ➔ **In person** at 150 Upper Abbey Street, Dublin 1, where someone will help you complete a form.
 - ➔ **At any Garda Station** (where they will ask you to fill a form and give you a copy)

It is not possible to make a complaint by phone or by Twitter.

- When a completed complaint form is received, the Garda Ombudsman will issue a receipt within a week acknowledging the complaint.



3. REPORTING RACIST DISCRIMINATION

3.4.1. Public bodies



STEP 2: EXAMINATION, INVESTIGATION AND DECISION.

If your complaint is admissible, it will be dealt with in one of the ways listed below.

- **Mediation** where a solution to the satisfaction of all parties is sought through informal resolution.
- **Disciplinary matters** complaints are dealt with:
 - ✓ Garda investigation into complaints with reporting to the Garda Ombudsman
 - ✓ Garda investigation into complaints supervised by the Garda Ombudsman.
- **Non-criminal Garda Ombudsman investigation** into complaints that do not appear to involve criminal offences. At the end of such an investigation, GSOC always sends a report to the Garda Commissioner, whether there appears to be evidence of a breach of discipline or not.
- **Criminal offence** complaints are dealt with:
 - ✓ **Criminal investigation by Garda Ombudsman** takes place if a complaint appears to involve a criminal offence. If it seems that the case may warrant a criminal prosecution, the Garda Ombudsman may send a file to the Director for Public Prosecutions (DPP). The DPP takes a decision based on the investigation file whether to prosecute or not.
- **Discontinuation:** if there is insufficient evidence to support one of the above, the case may have to be closed.



STEP 3: APPEAL/ REVIEW

- If you are not satisfied with the outcome of your complaint in relation to a **disciplinary matter investigated by the Garda Síochána and not supervised by GSOC** you have right to ask Garda Ombudsman to review the investigation.
- GSOC's role is to establish if the investigation was comprehensive and the outcome appropriate (not to re-investigate). GSOC does not have the power to substitute the decision with a new one. It will file a report to the Garda Commissioner, in circumstances where concerns in relation to how the investigation was conducted and/or its outcome arose. The case cannot be re-opened or the outcome changed, because the disciplinary process has already taken place, however it is hoped that the feedback may contribute to a reduction in similar issues in future investigations.



3.4.2. Immigration issues, asylum and Direct Provision

A. ASYLUM, IMMIGRATION, CITIZENSHIP AND VISA MATTERS

The public body responsible for asylum, immigration, citizenship and visa matters in Ireland is called **THE IRISH NATURALISATION AND IMMIGRATION SERVICE (INIS)**.

THE IRISH NATURALISATION AND IMMIGRATION SERVICE (INIS)

Department of Justice and Equality, 51 St. Stephen's Green, Dublin 2

T: 01 602 8202 **LoCall:** 1890 221 227 **E:** customerservices@justice.ie

WEB: www.inis.gov.ie

NOTE: The INIS telephone helplines have been suspended and replaced by dedicated email addresses.

➔ **List of email contact details:** www.inis.gov.ie/en/INIS/Pages/contact

The INIS provides a 'one stop shop' for asylum, immigration, citizenship and visa services. Their service is structured around several key areas – asylum, visa, immigration and citizenship processing, asylum and immigration policy, repatriation, and reception and integration. They also employ immigration officers checking the eligibility of all individuals entering the country at sea-ports, airports and by train.

There are different complaints procedures depending on the type of complaint you want to make:

- Racist discrimination;
- In relation to the quality of customer service provided by INIS in general;
- A complaint against an immigration officer.

See below for steps to follow in each case.





3. REPORTING RACIST DISCRIMINATION

3.4.2. Immigration, asylum and Direct Provision

➔ DISCRIMINATION COMPLAINTS

If you feel you were **discriminated against** by INIS on any of the grounds listed in the equality legislation, you can make a complaint directly to the **WORKPLACE RELATIONS COMMISSION (WRC)** under Equal Status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. *See: 3.2. WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure* ➔

➔ COMPLAINTS ABOUT THE QUALITY OF CUSTOMER SERVICE PROVIDED BY INIS:



STEP 1: MAKE A COMPLAINT TO THE INIS CUSTOMER SERVICE.

- You can make a complaint about the quality of customer service provided by INIS:
 - ➔ **By email:** INIScustomercomplaints@justice.ie
 - ➔ **In writing:** **INIS QUALITY CUSTOMER SERVICE OFFICER**, Department of Justice and Equality, 13/14 Burgh Quay, Dublin 2
- Someone else can make the complaint on your behalf. For example, you can ask a relevant advocacy service listed below for support.



STEP 2: MAKE A COMPLAINT TO THE OMBUDSMAN OR OMBUDSMAN FOR CHILDREN.

If, after making a complaint to INIS, you are not satisfied with their response, you can write to the **OFFICE OF THE OMBUDSMAN** or, if the complaint relates to a child or person under 18 years who has been adversely affected by an action, or inaction of the INIS, to the **OFFICE OF THE OMBUDSMAN FOR CHILDREN** *See: 3.4.1. PUBLIC BODIES section for complaints procedures of both Ombudsman offices.* ➔



→ COMPLAINTS AGAINST AN IMMIGRATION OFFICER

- To make a complaint about your treatment by an immigration official at any of Ireland's borders (land, air or sea) you can do so in the following way in writing to:

PRINCIPAL OFFICER, Border Management Unit, Irish Naturalisation and Immigration Services, Department of Justice and Equality, 51 St. Stephen's Green, Dublin 2.

B. DIRECT PROVISION

If you live in Direct Provision you should not be afraid to complain. Making a complaint will not affect how other official agencies consider their claims to remain in the state i.e. on asylum, subsidiary protection or general leave to remain grounds.

- For those living in the **Direct Provision system**, the **OFFICE OF THE OMBUDSMAN** and the **OFFICE OF THE OMBUDSMAN FOR CHILDREN** (who deals with complaints from children or on behalf of children under 18 years of age) can examine complaints about certain actions of **Accommodation Centres and Reception and Integration Agency (RIA)**, such as:
 - ✓ Decisions you consider to be unfair and that affect you in a negative way;
 - ✓ Failure to give you clear reasons for decisions;
 - ✓ Failure to answer, or delay in answering your correspondence;
 - ✓ Providing you with incorrect, inaccurate or misleading information;
 - ✓ Failure to deal properly with your complaints;
 - ✓ Complaints about services set out in the RIA's House Rules such as: standard of accommodation, meals, cleaning and facilities.
- The Ombudsmen Offices cannot examine:
 - ✓ Decisions about asylum, citizenship, family reunification, residency or visas.
 - ✓ Any complaint that you have taken legal action on.
- Residents in direct provision, like everyone else in Ireland, can also now raise issues relating to the actions of other **public bodies** including schools, health services, social work services, local authorities, government departments and agencies. *See: 3.4.1. PUBLIC BODIES for details on the complaint process.* ←



3. REPORTING RACIST DISCRIMINATION

3.4.2. Immigration, asylum and Direct Provision

➔ MAKING A COMPLAINT ABOUT ACCOMMODATION CENTRES AND RIA



STEP 1

If you have a complaint about your Direct Provision Centre, before complaining to the Ombudsman, you must complain to the **MANAGER OF YOUR ACCOMMODATION CENTRE** first.



STEP 2

- If you are unhappy with the way your complaint has been dealt with by the Manager of the Accommodation Centre or you haven't received any response, you can make a complaint to the **RECEPTION AND INTEGRATION AGENCY (RIA)**.
- You can contact RIA by mail, telephone or by using the online form on their website.

RECEPTION AND INTEGRATION AGENCY

P.O. Box 11487, Dublin 2

T: 01 418 3200 **Lo-Call:** 1890 777 727 **E:** RIA_inbox@justice.ie

WEB: www.ria.gov.ie

RIA is a unit of the Irish Naturalisation and Immigration Service (INIS), a division of the Department of Justice and Equality. RIA is charged with providing accommodation and ancillary services to asylum seekers under the Direct Provision system which provides asylum seeker residents with full board accommodation, free of utility or other cost. Under this system, RIA seeks to ensure that the material needs of residents, in the period during which their applications for international protection are being processed, are met.

- ➔ **RIA House Rules and Procedures:** www.ria.gov.ie/en/RIA/Pages/House_Rules_Procedures

RIA House Rules and Procedures outline the procedures in place for making complaints in relation to standards of Direct Provision centres and behaviour of residents.

3. REPORTING RACIST DISCRIMINATION

3.4.2. Immigration, asylum and Direct Provision



STEP 3

If you are still unhappy after the RIA's examination, you can then contact the **OFFICE OF THE OMBUDSMAN** or, if the complaint concerns a child or person under 18 years, the **OFFICE OF THE OMBUDSMAN FOR CHILDREN**. *See: 3.4.1. PUBLIC BODIES section for complaints procedures of both Ombudsman offices.* ←

- ➔ **More on the Ombudsman and Direct Provision:** www.ombudsman.ie/publications/information-leaflets/Direct-Provision-Factsheet.pdf

C. USEFUL CONTACTS

If you would like support and/or advice in making a complaint you can contact any of the below organisations.

CULTÚR CELEBRATING DIVERSITY

1st Floor, St. Anne's Resource Centre, Railway Street, Navan, Co. Meath
T: 046 909 3120 E: info@cultur.ie WEB: www.cultur.ie

A community organisation working across Co. Meath with ethnic minorities including immigrants, migrant workers, asylum seekers and refugees. Their drop-in centre provides information on a wide range of areas relating to social welfare, housing, education and immigration related issues. Cultúr is also an iReport.ie Racist Incident Reporting Centre.

CROSSCARE INFORMATION AND ADVOCACY SERVICES

1 Cathedral Street, Dublin 1 WEB: www.crosscare.ie/information-advocacy

Crosscare Information and Advocacy Services include:

- ➔ **Crosscare Migrant Project (CMP):** T: 01 873 2844 E: richardking@crosscare.ie WEB: www.migrantproject.ie
- ➔ **Housing and Welfare Information (CHWI)** T: 01 872 6775 E: ciaramcgrath@crosscare.ie
- ➔ **Crosscare Refugee Service (CRS)** T: 01 873 2844 E: breegekeenan@crosscare.ie/crs@crosscare.ie

Crosscare Information and Advocacy Services provide information and advocacy services in the areas of housing, homelessness, social welfare, immigration issues, health and wellbeing-related issues, emigration, returning emigrants and the asylum process, family reunification, citizenship and support with integration. Crosscare Refugee Service is an iReport.ie Racist Incident Reporting Centre.



3. REPORTING RACIST DISCRIMINATION

3.4.2. Immigration, asylum and Direct Provision

DORAS LUIMNÍ

Central Buildings, 51a O'Connell Street, Limerick

T: 061 310 328 E: info@dorasluimni.org WEB: www.dorasluimni.org

Doras Luimní is an independent, non-profit, non-governmental organisation working to support and promote the rights of all migrants living in Limerick and the wider Mid-West through their support services which assist migrants in accessing their rights and entitlements. Doras Luimní is the iReport.ie Racist Incident Reporting Centre.

IMMIGRANT COUNCIL OF IRELAND (ICI)

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

IRISH REFUGEE COUNCIL (IRC)

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

JESUIT REFUGEE SERVICES IRELAND (JRS)

E: info@jrs.ie WEB: www.jrs.ie

→ **Dublin:** The Mews, 20 Upper Gardiner Street, Dublin 1 T: 01 814 8644

→ **Limerick:** Della Strada, Dooradoyle, Limerick T: 061 480 922

JRS Ireland's mission is to accompany, to serve and to advocate the cause of refugees, asylum seekers and forcibly displaced persons. It provides outreach, projects and other services to individuals and families living in 10 Direct Provision centres throughout Ireland and supports non-Irish nationals detained in the Dóchas Centre (women's prison). JRS Ireland also advocates for positive structural changes within the Irish asylum and immigration system.

MIGRANT RIGHTS CENTRE IRELAND (MRCI)

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

NEW COMMUNITIES PARTNERSHIP, IRISH CITIZENSHIP APPLICATION SUPPORT SERVICE (CASS)

WEB: www.newcommunities.ie/services2/cass.html

→ **Dublin CASS:** NCP, The Basement, 44 Lower Gardiner Street, Dublin 1;
T: 01 819 6653 M: 087 9654 668

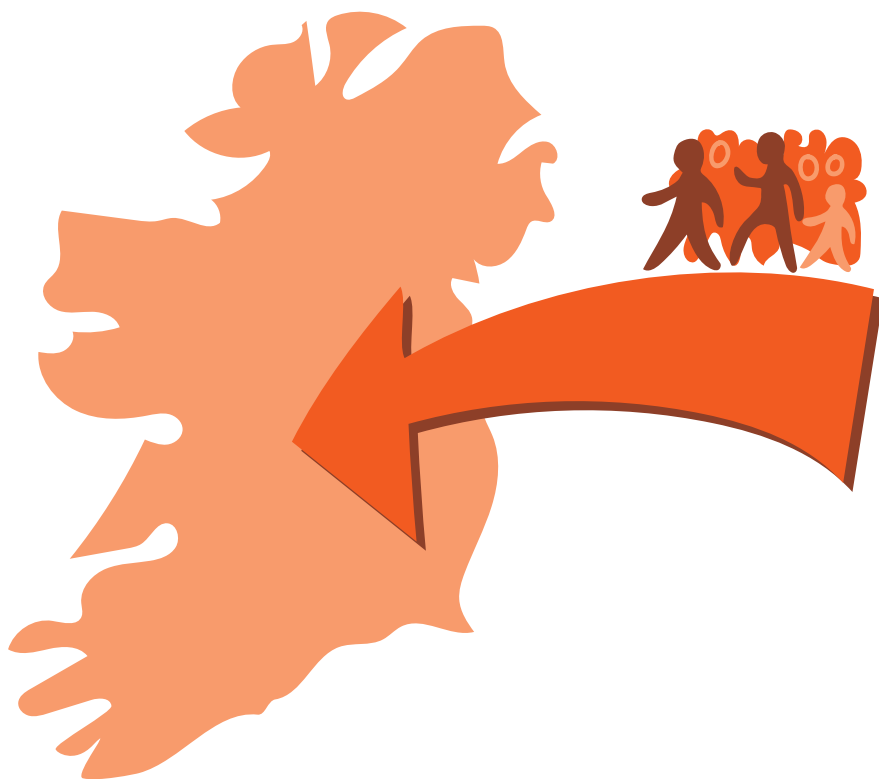
3. REPORTING RACIST DISCRIMINATION

3.4.2. Immigration, asylum and Direct Provision



→ **Cork CASS:** NCP Cork, 107 Shandon Street, Cork; T: 021 239 9910
E: ncpcork@gmail.com

NCP is an independent national network of 175 immigrant led groups comprising of 65 nationalities with offices in Dublin and Cork with outreach to other cities. Their CASS service provides information and “one to one” advice service in different languages for individuals and families applying for Irish naturalisation. CASS services are not free. Contact the offices directly for relevant fees.





3. REPORTING RACIST DISCRIMINATION

3.4.3. Social welfare

3.4.3. Social Welfare

The Department of the Government of Ireland tasked with administering Ireland's welfare system is the **DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION**. If you are not satisfied with the standard of service you received from the Department, its staff, or you are not happy with the decision on your claim, you have a right to make a complaint.

DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION (DEASP)

Community and Customer Service Unit, Áras Mhic Dhiarmada, Store Street, Dublin 1
T: 071 919 3302 Information Service LoCall: 1890 662 244 **WEB:** www.welfare.ie

➔ **Complaint procedure:** www.welfare.ie/en/Pages/How-to-Make-a-Comment-or-Complaint-to-the-Department.aspx

DEASP is a department of the Government of Ireland, tasked with administering Ireland's welfare system. The department formulates appropriate social protection policies and administers and manages the delivery of statutory and non-statutory schemes and services. It is responsible for the delivery of a range of social insurance and social assistance schemes including provision for unemployment, illness, maternity, caring, widowhood, retirement and old age.

The main functions of the DEASP are to:

- Advise Government and formulate appropriate social protection policies;
- Design, develop and deliver effective and cost-efficient income supports, activation and employment services, advice to customers and other related services; and
- Work towards seamless service delivery in conjunction with other Departments, agencies and bodies in the delivery of Government policies.

MAKING A COMPLAINT

➔ **COMPLAINTS ABOUT DISCRIMINATION**

If you were **discriminated against** by the Department of Employment Affairs and Social Protection services on any of the nine grounds listed in the equality legislation, you can make a complaint directly to the **WORKPLACE RELATIONS COMMISSION**

3. REPORTING RACIST DISCRIMINATION

3.4.3. Social welfare



under Equal Status Act. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. *See: 3.2. WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure* ←

Alternatively, to investigate and help resolve your complaint, you may follow the internal complaints process of the Department of Employment Affairs and Social Protection. However, keep in mind that those processes were established to deal with all general complaints and not specifically to address racist incidents.

There are two different complaints procedures depending on the type of complaint you want to make, whether it is in relation to:

- the standard of service provided by your social welfare office, or
- the decision on your claim.

See below for the steps to follow in each case.



COMPLAINTS ABOUT DELAYS, MISTAKES AND POOR CUSTOMER SERVICE

The complaints procedure below deals with the **standard of service provided by the DEASP** when dealing with your claim and not on the actual decision made on that claim. Any complaint you make in good faith will not affect any application/dealings you have with the Department.



STEP 1: SUBMITTING A COMPLAINT.

- You can submit any comment or complaint to the Department of Employment Affairs and Social Protection in relation to delays, mistakes and poor customer service in the following ways:
 - ➔ **Online** by filling Welfare Services Office Comment Card.
 - ➔ **In person** by talking to a member of staff at one of **INTREO CENTRES** or **SOCIAL WELFARE LOCAL OFFICES**.
 - ✓ **List of Intreo Centres, Social Welfare Local and Branch Offices by county:**
www.welfare.ie/en/Pages/List-of-Social-Welfare-Local-and-Branch-Offices-by-County.aspx



3. REPORTING RACIST DISCRIMINATION

3.4.3. Social welfare

- ➔ **By phone:** 071 919 3302 or 1890 662 244.
- ➔ **In writing directly to the office** you are dealing with, or to:
COMMUNICATIONS AND CUSTOMER SERVICE UNIT, Department of
Employment Affairs and Social Protection, Áras Mhic Dhiarmada, Store Street,
Dublin 1
- Someone else can make the complaint on your behalf. For example, you can ask a
relevant advocacy service listed below for support.

The complaints section DOES NOT deal with social welfare claim appeals. In such
case you should contact the **SOCIAL WELFARE APPEALS OFFICE** directly. *See:*
COMPLAINTS ABOUT A DECISION ON YOUR SOCIAL WELFARE CLAIM below ➔



STEP 2: REVIEW.

If after making a complaint you are unhappy with the outcome, you can ask for the com-
plaint to be reviewed by another officer explaining why you are not satisfied with the
reply you received. A review of the complaint will be completed within 20 working days.



STEP 3: COMPLAINT TO THE OFFICE OF THE OMBUDSMAN.

If you are not satisfied with the outcome of the review, you can refer it to the **OFFICE
OF THE OMBUDSMAN**. *See: 3.4.1. PUBLIC BODIES* ←





COMPLAINTS ABOUT A DECISION ON YOUR SOCIAL WELFARE CLAIM



STEP 1: COMPLAINT TO THE SOCIAL WELFARE APPEALS OFFICE

- If you think you have been wrongly refused a social welfare payment for whatever reason or you are unhappy about decision on your Social Welfare claim made by a social welfare Deciding Officer or Designated Person (in the case of the Supplementary Welfare Allowance Scheme), you have a right to appeal this decision to the **SOCIAL WELFARE APPEALS OFFICE**. You must do so within **21 working days** of getting the decision on your claim. There is no charge for making an appeal.
- To appeal, fill in a **SWAO 1 form** available online from the 'Your Appeal' area on the Appeals Office website or from or your local Intreo Office. Alternatively, the grounds of an appeal may be set out in a letter or email addressed to:

SOCIAL WELFARE APPEALS OFFICE (SWAO)

Chief Appeals Officer, Social Welfare Appeals Office, Freepost, D'Olier House, D'Olier Street, Dublin 2

T: 01 673 2800 **LoCall:** 1890 747 434 **E:** swappeals@welfare.ie

WEB: www.socialwelfareappeals.ie

SWAO operates independently of the Department of Employment Affairs and Social Protection. It decides on appeals cases where a person is not satisfied with a decision of the Department. It aims to provide an independent, accessible and fair appeals service regarding entitlement to social welfare payments and to deliver that service in a prompt and courteous manner. It is headed by a Chief Appeals Officer and has its own Appeals Officers who decide on appeals.

- ➔ **Details of the appeal process:** http://sowa.dev.fbi.ie:32445/your_appeal/
- ➔ **Leaflet SW56 setting out details of the appeal process:** www.welfare.ie/en/downloads/sw56.pdf
- The Appeals Officer will make a decision based on the evidence available and according to the relevant scheme qualifying conditions set out in legislation.



3. REPORTING RACIST DISCRIMINATION

3.4.3. Social welfare

WHAT DECISIONS CAN NOT BE APPEALED TO SWAO

It should be noted that some decisions taken by officers of the Department of Employment Affairs and Social Protection are administrative in nature and cannot be appealed to the SWAO. Some examples of these include: Back to Education Allowance, Back to School Clothing and Footwear, Free Electricity Allowance, Free Travel, Free TV Licence and Exceptional/Urgent Needs Payments under the Supplementary Allowance scheme.

If you are not satisfied with a decision on any of the above schemes, you should request a review by a REVIEW OFFICER OF THE DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION. Contact your local HEO (Community Welfare Service, Community Welfare Officer CWO) for details of the appropriate Review Officer.

A list of social welfare schemes and benefits covered and not covered by SWAO: www.socialwelfareappeals.ie/uploads/Jurisdiction_of_Appeals_Process-3.pdf



STEP 2: REVIEW FOLLOWING APPEAL DECISION

- If you believe that a mistake was made in relation to the law or the facts of your case, you can request in writing for **THE CHIEF APPEALS OFFICER** to revise a decision of an Appeals Officer. Provide specific reasons why you are seeking a review and why you think a mistake has been made regarding the law or the facts.



STEP 3: COMPLAINT TO THE OFFICE OF THE OMBUDSMAN OR HIGH COURT APPEAL.

- If you disagree with the final decision of the Social Welfare Appeals Office, you can request the **OFFICE OF THE OMBUDSMAN** to examine your complaint. The Ombudsman can investigate both the actions of the SWAO and complaints about its everyday administrative activities. [See: 3.4.1. PUBLIC BODIES for details](#) ←
- If you think that the appeal was not fairly conducted you may appeal to the **HIGH COURT** on a point of law or seek a judicial review in the High Court. You should get legal advice before doing so.



ADVOCACY AND SPECIALIST ORGANISATIONS

CAIRDE

See: 3.4.5. HEALTH AND FAMILY →

CITIZEN INFORMATION SERVICES (CIS)

See: 3.3. RACISM IN THE WORKPLACE ←

CROSSCARE INFORMATION & ADVOCACY SERVICES

See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION ←

CULTÚR CELEBRATING DIVERSITY

See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION ←

DORAS LUIMNÍ

See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION ←

IMMIGRANT COUNCIL OF IRELAND (ICI)

See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION ←

IRISH NATIONAL ORGANISATION FOR THE UNEMPLOYED (INOU)

Araby House, 8 North Richmond Street, Dublin 1

E: info@inou.ie T: 01 856 0088 (Welfare Rights Information) WEB: www.inou.ie

→ **INOU network of Welfare Rights providing affiliates:** www.inou.ie/affiliates/

The INOU works at local and national levels on issues affecting unemployed people. Among other services, INOU provides Welfare Rights and Welfare to Work information and advocacy services. It aims to ensure that unemployed people, and those in receipt of Social Welfare payments seeking to return to employment, have access to comprehensive welfare rights information and advocacy services.

- ✓ Contact the INOU directly if you would like information about social welfare and/or the process of making a complaint about state services. INOU can also assist with making a complaint to the Department of Employment Affairs and Social Protection or assist you with preparing Social Welfare Appeal.
- ✓ Alternatively, you can contact a member of INOU's network of Welfare Rights providing affiliates around the country. (See the contact details above)



3. REPORTING RACIST DISCRIMINATION

3.4.3. Social welfare

IRISH REFUGEE COUNCIL (IRC)

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

MIGRANT RIGHTS CENTRE IRELAND (MRCI)

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

PAVEE POINT TRAVELLER & ROMA CENTRE

46 North Great Charles Street, Dublin 1

T: 01 878 0255 E: info@pavee.ie WEB: www.paveepoint.ie

Pavee Point Traveller and Roma Centre is a national NGO that works to promote Traveller and Roma human rights in Ireland through research, policy development, advocacy and collective community action. Pavee Point is an iReport.ie Racist Incident Reporting Centre.





3.4.4. Housing

If you are treated unfairly because of who you are by a landlord, estate agent, Direct Provision centre staff, or when you are renting or buying a property, you may be experiencing unlawful discrimination. This section aims to help you find out what to do and who can help in such cases. It also looks at other forms of racism in housing, other than discrimination, when you're renting, buying or living in a property. Your options and possible steps will depend on the type of housing you are accessing and the form of racism you experience.

A. RACISM IN PRIVATE HOUSING

By a landlord or letting agency

DISCRIMINATION

The Equal Status Acts prohibit a landlord from refusing to offer accommodation or from terminating a tenancy on the following nine grounds: gender, civil status, family status, age, race, religion or none, disability, sexual orientation, membership of Traveller community. Since 2016 a landlord cannot discriminate against a person in receipt of rent supplement, housing assistance or any payment under the **Social Welfare Acts** ('housing assistance' ground). *For more on discrimination see: 3.1. DISCRIMINATION AND THE LAW* ←

Discrimination in housing is prohibited across the grounds listed above in relation to:

- Selling or renting a property.
- Making or ending a tenancy agreement.
- Providing accommodation or any related service or amenity (hotels and so on).
- Ending the provision of accommodation. The premises or lodgings must be available to the general public or a particular section of the public.

If you are experiencing problems **accessing private rented accommodation due to discrimination**, you can take a case under the Equal Status Act and make a complaint to the **WORKPLACE RELATIONS COMMISSION (WRC)**. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** *See: ACCESS TO SERVICES: EQUALITY STATUTORY BODIES* section for more information and **THRESHOLD** *See: below* → can provide advice and support you to bring a discrimination claim to the WRC.



3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing

YOUR RIGHTS WHEN SHARING ACCOMMODATION WITH YOUR LANDLORD

- The Residential Tenancies Act 2004²⁷ and the Residential Tenancies (Amendment) Act 2015²⁸ both cover most private residential tenancies. However, if you live with your landlord in his/her home, your tenancy is **not covered by this legislation**. You can't avail the protection it offers to other tenants, such as using the RESIDENTIAL TENANCIES BOARD's dispute resolution service if a disagreement arises between you and your landlord.
 - Moreover, you are **not protected** by the **Equal Status Acts 2000-2015**, which prohibit discrimination on grounds of gender, civil status, family status, age, race, religion or none, disability, sexual orientation, membership of Traveller community and the 'housing assistance' ground.
 - If you are unhappy with the way you are being treated, to resolve any issues between you, you should discuss the situation with the landlord. If it's unsuccessful, **the only legal option** you have as tenant renting a room in your landlord's home is taking your case to the SMALL CLAIMS COURT.
- ➔ **Small Claims Court procedure:** www.courts.ie/Courts.ie/Library3.nsf/PageCurrentWebLookUpTopNav/SMALL%20CLAIMS%20PROCEDURE?opendocument&l=en
- ➔ **For detailed information on your rights when living with your landlord** check *Sharing accommodation with your landlord* section on www.citizensinformation.ie.

DISPUTES BETWEEN TENANTS AND LANDLORDS

- If a problem arises between you and your landlord, you can first **try to resolve it between you**. If your landlord is a housing association, you should use their complaints procedures.
- Make any requests or complaints **in writing** providing any evidence needed to backup your points, such as photographs or receipts for repairs.
- **Keep records** of all communication, including copies of all correspondence and documents.
- If you are unable to resolve the issue directly with your landlord or agency, to the following organisations may help:

3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing



RESIDENTIAL TENANCIES BOARD (RTB)

Po box 47, Clonakilty, Co Cork

T: 01 888 2960 **E:** disputes@rtb.ie (Dispute Resolution queries) **WEB:** www.rtb.ie

➔ **List of RTB email contacts:** www.rtb.ie/contact-us

✓ **Dispute Resolution procedure:** www.rtb.ie/dispute-resolution/dispute-resolution

Set up by the Government to mediate disputes between landlords and tenants in private rented accommodation and housing associations, the RTB has replaced the Courts for the vast majority of landlord and tenant disputes and any agreement reached with its help, or adjudicated by it, is legally binding by both parties. The service covers disputes about deposits, lease terms, termination of tenancies, rent arrears, market rents, complaints by neighbours, breaches of statutory obligations by either landlord or tenant and any other matters related to the tenancy. It can also deal with disputes about terms of a lease or other tenancy agreements that are not specified in the Residential Tenancies Act 2004. You do not need legal representation when taking a case to the RTB.

RTB does not provide specific services in relation to racism in housing.

Due to its quasi-judicial role, the RTB remains strictly impartial and does not provide advice to either party in dispute beyond general information, in relation to the Residential Tenancies Act. Such information can be provided by **THRESHOLD** *see below.* ➔

THRESHOLD NATIONAL HOUSING CHARITY

E: advice@threshold.ie **WEB:** www.threshold.ie

Housing Advice & Tenancy Protection Services National Helpline: 1800 454 454

➔ **Dublin Advice Centre**, 21 Stoneybatter, Dublin 7 **E:** advice@threshold.ie

➔ **Cork Advice Centre**, 22 South Mall, Cork **E:** advicecork@threshold.ie

➔ **Galway Advice Centre**, 5 Prospect Hill, Galway **E:** advicegalway@threshold.ie

➔ **Outreach Clinics:** Threshold runs some outreach clinics in Dublin, Galway,

Mayo and Clare. Please visit their website for details. Threshold provides advice and advocacy services for people with housing problems and works with landlords to find solutions to landlord-tenant problems. It works to prevent homelessness and campaigns for housing as a right. Their Tenancy Protection Service (TPS) provides advice and support to individuals, couples and families living in private



3. REPORTING RACIST DISCRIMINATION

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rented accommodation experiencing tenancy problems and where their tenancy is at risk. TPS operates in Dublin, Kildare, Meath, Wicklow, Cork City and its surrounding areas, Galway, Mayo and Roscommon.

- If you believe that the **dispute has a racist motive and discrimination took place**, you can make a complaint against your landlord to the **WORKPLACE RELATIONS COMMISSION (WRC)** under the Equal status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION for details of both organisations and the complaint procedure** ←

ILLEGAL EVICTIONS

- **Legal eviction.** The **Residential Tenancies Act 2004**²⁹ outlines the conditions under which a tenancy may be terminated by a landlord and the procedures that must be followed.
 - ✓ **Grounds for ending a tenancy** include where the landlord is moving back into the dwelling, is selling the property or is substantially refurbishing it.
 - ✓ In order to **legally terminate a tenancy** a landlord must serve a valid **Notice of Termination** on the tenant. Neither email nor text messages qualify as valid notices of termination. If you are unsure if the notice is valid, contact your local **THRESHOLD** office immediately.
 - ✓ If you wish to challenge the notice you must refer a dispute to the **RESIDENTIAL TENANCIES BOARD (RTB)** within 28 days of receipt of the notice.
 - ✓ If the tenant does not vacate upon the expiration of a valid Notice of Termination, then the landlord may make a complaint to the RTB, who can order you to vacate. In such situation you could face having to pay damages to the landlord for not leaving.

Find out more about rules applying to terminating a tenancy:

- ➔ *If your landlord wants you to leave* page on www.citizensinformation.ie
- ➔ *How your landlord may end your tenancy* page at www.threshold.ie

3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing



- **Illegal eviction** occurs where a landlord, through force, intimidation or otherwise (such as cutting off utilities, changing locks etc.) denies a tenant access to their rented dwelling or removes a tenant's belongings from the dwelling regardless of whether a valid notice of termination has been served.
 - ✓ If the notice wasn't issued or your case is still with the RTB your landlord has no right to evict you. If s/he does so, you may be able to apply for an injunction to force them to let you back into the property or you may apply to the **RTB** to do so on your behalf. You can take a legal action in case of cutting off utilities. To get legal advice before you proceed contact **THRESHOLD** or/and one of **FREE LEGAL SUPPORT ORGANISATIONS**. *See: PART III. SUPPORTING VICTIMS OF RACISM: 3.3. LEGAL SUPPORT →*
 - ✓ Presence of Gardaí during the illegal eviction. Gardaí have no legal jurisdiction in private rented disputes, which are solely a matter for the RTB, and cannot assist in removing a tenant from the property. If your landlord carries on the illegal eviction and the Gardaí are present, inform them that an illegal eviction taking place and you are being wrongly removed from premises. Ask present garda officers for their names, numbers (placed on their arms) and Garda Station. If they refuse to leave, call their garda station. You can also consider making a formal complaint. *See: 2.2.3. COMPLAINTS AGAINST POLICE for the complaint procedure. ←*
 - ✓ You may contact your local **HOUSING ACTIVIST GROUP** for support. *See below for contact details →*
 - ✓ If you believe that the illegal eviction had a racist motive, you can bring a discrimination case to the **WORKPLACE RELATIONS COMMISSION (WRC)**. *See: 3.2. WHERE TO REPORT DISCRIMINATION? ←*





3. REPORTING RACIST DISCRIMINATION

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FOLLOWING STEPS IN CASE OF EVICTION³⁰:

- Contact your local THRESHOLD office immediately, if your landlord threatens or attempts to remove you from your property.
- Contact the GARDAÍ immediately if someone is using force to remove you or your belongings from your home.
- Contact the RESIDENTIAL TENANCIES BOARD (RTB) and inform them that your landlord has carried out an unlawful termination of the tenancy. RTB may then direct the landlord to allow you re-enter into the dwelling and required him/her to pay you compensation depending on the circumstances of the case.
- Inform your landlord that you have been in contact with the RTB, Threshold and the Gardaí.
- Take photos and a sound and/or video recording of the illegal eviction if you can do so without putting yourself at risk.
- In order to prepare for a possible RTB hearing you should keep a log of details of all events and parties involved i.e. vehicle number plates, incoming phone call numbers, Garda names and numbers etc.
- Make a list of any items you have been denied access to or that have been damaged or lost during the illegal eviction. Keep any receipts of purchases of replacements.
- Keep a record of any other expenses incurred as a direct result of the eviction such as B&B or hotel costs.

More information how to deal with evictions can be found at:

- ➔ www.threshold.ie/advice/ending-a-tenancy/illegal-eviction/
- ➔ www.focusireland.ie/resource-hub/prevention-hub/





By other tenants or neighbours

Some behaviour by neighbours or other tenants could amount to **discrimination or criminal offence** and may be against the law. Racially or religiously motivated attacks can include verbal abuse or threats, abusive slogans painted on a wall or building or damage to property. Very often behaviour like this may be of a systematic and repetitive nature making the life of the targeted person(s) very difficult. The section below aims to provide you with options what to do when experiencing racism by your flatmates or neighbours.

- If you experience racist harassment from your **flatmates** you can try to resolve the problem directly with them first. If it does not work report it to **YOUR LANDLORD** or **LETTING AGENCY**.
- If you are experiencing racism from a **neighbour who is renting a property** and the offending neighbour refuses to co-operate when you approach him/her directly, you may contact **THEIR LANDLORD** or **LETTING AGENCY**, who might be prepared to talk to their tenant about the problem. You may be able to find out who is the landlord by contacting **RESIDENTIAL TENANCIES BOARD (RTB)**. Make sure your and their landlords both know that racism is involved.

If this fails, you can **apply as a third party to the RTB for dispute resolution**. You must first have attempted to resolve the issues with the landlord and tenant of the rented property. *See: RACISM IN HOUSING BY A LANDLORD OR A LETTING AGENCY section above for more information on RTB →*

- If you are affected by **anti-social behaviour by your neighbours** and the landlord hasn't dealt with it to your satisfaction, the **Residential Tenancies Act 2004** gives the **RTB** responsibility for dealing with third party anti-social behaviour disputes.

RTB THIRD PARTY DISPUTE RESOLUTION SERVICE

If you are having issues with a neighbour who is a tenant you can apply for dispute resolution as a third party. All parties involved should initially try to resolve the matter directly themselves.

- ➔ For further information regarding **third party applications**, or if you want to **request the contact information for the landlord of the neighbouring house**, check RTB's step-by-step guide available on their website: <https://onestopshop.rtb.ie/dispute-resolution/third-party-dispute-resolution-services/>




3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing

- If **tenants in your building** are engaging in any of the below dangerous behaviours, you should report them to **YOUR LANDLORD** or **LETTING AGENCY** immediately:
 - ✓ Committing offences which may directly affect your well-being;
 - ✓ Engaging in behaviour that could cause fear, injury, damage, or loss of life; or
 - ✓ Engaging in behaviour that effectively prevents you from peaceful dwelling in your residence, or basically making you uncomfortable in any way.

For the first two behaviours listed above your landlord can give seven days' notice, or serve a warning to correct their behaviour in the last case.

If in any of the above cases you think **you may be in danger, or any serious, anti-social or criminal incident happened** such as racial harassment, violence or damage to your property, contact your **LOCAL GARDA STATION** in the first instance, to ensure a record is kept.

In the case of **harassment**, you can make a complaint to the Gardaí under the **Non-Fatal Offences Against the Person Act**. According to the act, anyone who harasses another by persistently following, watching, pestering, besetting or communication with him or her shall be guilty of an offence. [See: 2.2. REPORTING RACIST CRIME section.](#) 

Make sure both the police and your landlord or letting agency know that racism is involved in the dispute with your neighbour.

B. RACISM IN LOCAL AUTHORITY PROPERTY AND OTHER FORMS OF SOCIAL HOUSING

Racist harassment and anti-social behaviour from other tenants

- The definition of **ANTI-SOCIAL BEHAVIOUR** includes³¹:
 - ✓ Making, importing, selling, supplying or possessing illegal drugs.
 - ✓ Behaviour which causes (or is likely to cause) significant or persistent danger, injury, damage, alarm, loss or fear to anyone who lives or works near local authority housing, such as: violence, threats, intimidation, coercion, harassment or serious obstruction.



- ✓ Preventing someone's enjoyment or use of their home.
- ✓ Damaging or defacing by writing or other marks of a property.
- The rules regarding anti-social behaviour orders for children are different to the anti-social behaviour orders (ASBOs) for adults. **Part 11 of the Criminal Justice Act 2006³²** provides for proceedings to be taken in Ireland against adults who engage in anti-social behaviour. Anti-social behaviour by children is addressed in the **Part 13** of the Act. These provisions allow Gardaí to deal with anti-social behaviour by adults through a civil process using behaviour warnings and orders. Failure to comply with a behaviour order is a criminal offence.
- ➔ **Anti-social behaviour by adults:** www.citizensinformation.ie/en/justice/law_enforcement/anti_social_behaviour_by_adults.html
- ➔ **Anti-social behaviour by children:** www.citizensinformation.ie/en/justice/children_and_young_offenders/anti_social_behaviour_by_children.html

Anti-social behaviour actions under **housing law** should not be confused with 'Anti-Social Behaviour Orders' (ASBOs). ASBOs are not specific to local authority tenants and they are dealt with by the **criminal law**.

- What you can do to stop anti-social behaviour depends on whether your neighbour owns his or her own home, is a tenant under the Residential Tenancies Act 2004 or is living in Local Authority Housing. In all these cases, **it is the responsibility of the person making the complaint to seek help** and to resolve the matter before resorting to a formal process. In some cases, you will be asked to prove that you have done this, so keep a record of any engagement with neighbours or landlords with this in mind.
- **Anti-social behaviour and racism in the Local Authority housing can be reported to:**
 - ✓ **LOCAL GARDA STATION.**
 - If your neighbour is **harassing** you, by persistently following, watching, pestering, besetting or communicating with you, you can make a complaint to the GARDAÍ under the **Non-Fatal Offences Against the Person Act**.
 - Provide as much information as possible about the behaviour. Keep an incident diary, detailing the time, date and nature of the incident, and the effect it has had on you.
 - ➔ **Garda Stations Directory:** www.garda.ie/en/Contact-Us/Station-Directory/



3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing

✓ **YOUR LOCAL ESTATE MANAGER, HOUSING OFFICER and/or ANTI-SOCIAL BEHAVIOUR UNIT OF YOUR LOCAL AUTHORITY.**

- Where a Local Authority tenant breaches tenancy agreement and engages in anti-social behaviour, the **LOCAL AUTHORITY** can take action possibly resulting in **eviction or exclusion from a local authority unit or estate**. Ask your local authority for their anti-social behaviour complaint procedure and follow the guidelines. Consider getting legal advice before making a complaint. *See: PART III. SUPPORTING VICTIMS OF RACISM: 3.3. LEGAL SUPPORT for free legal advice services.* →

➔ **List of Local Authorities:** www.housing.gov.ie/local-government/administration/local-authorities/links-local-authority-websites

- Where the person in question was evicted, excluded or removed from local authority housing because of his/her anti-social behaviour, the **DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION** may also refuse or withdraw Rent Supplement for a private rented dwelling for that person.
- The Housing Act 2014 provides measures to **protect the identity** of persons who inform a local authority of breaches of tenancy agreements and who might be intimidated if their identity became known.
- If you are affected by someone's anti-social behaviour, under the **Housing (Miscellaneous Provisions) Act 1997³³** you or your local authority or housing association can apply to the **DISTRICT COURT** for an **Excluding Order**. If granted, the order prevents that person from coming near your home and it is a criminal offence to breach it. You should contact the GARDAí if you have any problems in relation to this.

➔ **More on Excluding Orders:** www.citizensinformation.ie/en/housing/local_authority_and_social_housing/anti_social_behaviour.html

- Racism is not contained within the definition of anti-social behaviour, as defined within the Housing (Miscellaneous Provisions) Act, however, as a tenant you can apply to **YOUR LOCAL AUTHORITY** for a transfer under the **exceptional social grounds scheme** for a variety of reasons, and this could include allegations of racist intimidation. To apply, you need to prove that the intimidation is happening i.e. provide police reports, photos or videos of the abuse etc.

The procedure for dealing with anti-social behaviour can be followed also to deal with disputes in local authority housing.

3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing



- ➔ **More on Local Authority tenants and anti-social behaviour:** www.housing.gov.ie/housing/social-housing/local-authority-tenants-and-anti-social-behaviour
- ✓ **YOUR SOCIAL HOUSING ASSOCIATION** (*applies to tenants of those associations*)
 - ➔ **List of Social Housing Associations:** www.icsh.ie/content/search-for-members
- ✓ **LOCAL RESIDENTS COMMITTEES AND/OR POLICING FORUMS** See: 3.4.4. E: RACISM IN HOUSING: WHERE TO LOOK FOR SUPPORT ➔
- ✓ **IMMIGRANT COUNCIL OF IRELAND** See: 3.3.1. RACIST DISCRIMINATION AT WORK ⬅

ANTI-SOCIAL BEHAVIOUR: USEFUL RESOURCES

The below publications can provide more detailed information on the anti-social behaviour and how to deal with it in social housing:

- ✓ **Neighbour Disputes:** www.flac.ie/download/pdf/neighbour_disputes.pdf
- ✓ **Anti-social behaviour in social housing:** www.citizensinformation.ie/en/housing/local_authority_and_social_housing/anti_social_behaviour.html
- ✓ **Social Housing Rights Explained:** www.communitylawandmediation.ie/_fileupload/Housing%20Booklet/booklet_%20social_housing_rights.pdf

UNFAIR TREATMENT BY YOUR LOCAL AUTHORITY

- To complain about **incidents motivated by racism** that occur on a Local Authority housing estate or about any issue in relation to **housing management**, including letting policies, you should write to or contact your **LOCAL ESTATE MANAGER** or **HOUSING DEPARTMENT** in the first instance, or the relevant **CITY** or **COUNTY MANAGER**.
- If you are a tenant of Local Authority housing and you feel you have been **unfairly treated by your Local Authority** you should try to resolve the issue with them first. If you are unhappy with the outcome or there was no response from the local authority can make a complaint to the **OMBUDSMAN** who takes and investigates complaints from members of the public in relation to public bodies. See: 3.4.1. PUBLIC BODIES section ⬅



3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing

- If you believe that **racist discrimination** took place, you can make a complaint against your Local Authority to the **WORKPLACE RELATIONS COMMISSION (WRC)** under the Equal status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION section** ←

RACIST GRAFFITI OR OFFENSIVE MATERIAL IN PUBLIC SPACES

- Racist graffiti or offensive material in **public places** can be removed by reporting it to the **CUSTOMER SERVICES** or **ENVIRONMENTAL SERVICES SECTION** of the relevant local authority or to **SOCIAL HOUSING ASSOCIATION**.
- Where graffiti or offensive material is on **private property and is visible from a public place**, your **LOCAL AUTHORITY** can contact the owner(s) of the private property in question and request that the graffiti be removed.
- You can **remove the graffiti yourself**. Your **LOCAL AUTHORITY** can supply graffiti-cleaning kits to local community groups/residents' associations to assist with the removal of graffiti in their area.
- In all cases graffiti or offensive material can be reported to the nearest **GARDA STATION** to determine whether it constitutes an offence under the **Criminal Justice (Public Order) Act, 1994** or the **Prohibition of Incitement to Hatred Act, 1989**.
 - ➔ **List of Local Authorities:** www.housing.gov.ie/local-government/administration/local-authorities/local-authorities
 - ➔ **List of Social Housing Associations:** www.icsh.ie/content/search-for-members
 - ➔ **Garda Stations directory:** www.garda.ie/en/Contact-Us/Station-Directory/





C. DISCRIMINATION IN DIRECT PROVISION ACCOMMODATION CENTRES

- If you have a complaint about your Direct Provision Centre, you should contact the **MANAGER OF YOUR ACCOMMODATION CENTRE** and the **RECEPTION AND INTEGRATION AGENCY** before you can complain to the **OMBUDSMAN** or the **OMBUDSMAN FOR CHILDREN**. You should submit your complaint within 12 months of the action or decision that has adversely affected you. [See: 2.2.1. PUBLIC BODIES for details on the Ombudsman complaint process](#) and [3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION for complaint mechanisms available for residents of Direct Provision Centres](#)
- If you believe that **racist discrimination** has taken place, you can make a complaint against your Direct Provision Centre to the **WORKPLACE RELATIONS COMMISSION (WRC)** under the Equal status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. [See: 3.2. WHERE TO REPORT DISCRIMINATION section](#)

ADVOCACY AND SPECIALIST ORGANISATIONS

The Irish Refugee Council, Cultúr and Doras Luimní run the #EndDP campaign to end the Direct Provision system. They may be able to provide support and advice on a particular case of discrimination in direct provision accommodation centres.

CULTÚR CELEBRATING DIVERSITY

[See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION](#)

DORAS LUIMNÍ

[See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION](#)

IRISH REFUGEE COUNCIL (IRC)

[See: 3.3.1. RACIST DISCRIMINATION AT WORK section](#)

JESUIT REFUGEE SERVICES IRELAND (JRS)

[See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION](#)

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

[See: 3.3.1. RACIST DISCRIMINATION AT WORK section](#)



3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing

D. TRAVELLER AND ROMA ACCOMMODATION

Traveller specific accommodation includes serviced halting sites, group housing schemes and transient sites. Local Authority standard housing is available to Travellers as is housing in the private rented sector.

- The mechanisms in place for Travellers to complain and seek redress in relation to accommodation issues depends on the type of accommodation in which they are living or where the accommodation is located. In relation to **halting sites** and group housing schemes, in some sites there is a caretaker or an estate management policy in place.
- Traveller accommodation is regulated under the **Housing (Traveller Accommodation) Act, 1998³⁴**. Under the provisions of the Act, **LOCAL AUTHORITIES** are responsible for the assessment of the accommodation needs of Travellers and required to prepare, adopt and implement a **Traveller Accommodation Programme (TAP)** to meet the needs of their local Traveller Community.

➔ **List of Local Authorities' Programmes by county:** www.housing.gov.ie/housing/special-housing-needs/traveller-accommodation/local-authority-traveller-accommodation

- Under the 1998 Act **LOCAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEES (LATCCs)**, with Traveller representatives, exist in each Local Authority area and complaints can be directed to them. Matters can also be referred to the **NATIONAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEE (NTACC)**.

Under the Act an LTACC may:

- ✓ Advise in relation to the preparation and implementation of any accommodation programme for the functional area of the appointing authority concerned;
- ✓ Advise on the management of accommodation for Travellers;
- ✓ Provide a liaison between Travellers and members and officials of the appointing authority concerned.

The NATIONAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEE (NTACC)

Custom House, Dublin 1

E: ntacc@housing.gov.ie **WEB:** www.housing.gov.ie/corporate/organisation/partner-bodies/national-traveller-accommodation-consultative-committee

3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing



- ➔ **List of Local Traveller Accommodation Consultative Committees:** www.housing.gov.ie/housing/special-housing-needs/traveller-accommodation/local-traveller-accommodation-consultative
- Complaints regarding **discrimination** on the ground of the **Membership of the Traveller Community** should be brought forward to the **WORKPLACE RELATIONS COMMISSION** under the Equal Status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION section** ←

TRAVELLER AND ROMA ACCOMMODATION: USEFUL RESOURCES

- ✓ The Irish Traveller Movement has produced the **Traveller Legal Resource Pack** where Section 5 deals in detail with **evictions in relation to the Traveller accommodation**. You can access it here: <http://itmtrav.ie/wp-content/uploads/2017/03/ITM-Legal-Pack.pdf>
- ✓ **Section 8 of Social Housing Rights Explained** is dedicated to explaining Travellers housing rights: www.communitylawandmediation.ie/_fileupload/Housing%20Booklet/booklet_%20social_housing_rights.pdf
- ✓ **Traveller Accommodation** information by the Department of Housing, Planning and Local Government: www.housing.gov.ie/housing/policy/traveller-accommodation/traveller-accommodation

NATIONAL ORGANISATIONS

CROSSCARE INFORMATION AND ADVOCACY SERVICES

See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION ←

Roma interpreter is available every Wednesday 2pm - 4pm.

EXCHANGE HOUSE IRELAND NATIONAL TRAVELLERS SERVICE

61 Great Strand Street, Dublin 1

T: 01 872 1094 E: info@exchangehouse.ie WEB: www.exchangehouse.ie



3. REPORTING RACIST DISCRIMINATION

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Exchange House Ireland is the largest Traveller specific front line service provider in the country. Services are provided in three main areas: Family Support and Crisis Intervention, Education and Training, Children and Young People.

THE IRISH TRAVELLER MOVEMENT (ITM)

4/5 Eustace Street, Dublin 2

T: 01 679 6577 E: info@itmtrav.ie, itmaccommodation@gmail.com

WEB: www.itmtrav.ie

If the Local Authority fails to act on your complaint, you should contact the Irish Traveller Movement and their Accommodation Officer for support.

NATIONAL TRAVELLER MABS (MONEY ADVICE AND BUDGETING SERVICE)

Unit 2 North Park, North Road, Dublin 11

T: 076 107 2230 E: info@ntmabs.org WEB: www.ntmabs.org

National Traveller MABS seeks to end the financial exclusion of Travellers in Ireland by effecting change in policy and practice which excludes Travellers and other marginalised groups from accessing financial services. National Traveller MABS also works with the Traveller community to increase financial capability.

The NATIONAL TRAVELLER WOMEN'S FORUM (NTWF)

4/5 Eustace Street, Dublin 2

T: 01 672 7430 E: ntwf@iol.ie WEB: www.ntwf.net

NTWF is the national network of Traveller women and Traveller women's organisations throughout Ireland. The NTWF recognises the particular oppression of Traveller women in Irish society and is working to address this issue through the provision of opportunities to Traveller women to meet, share experiences, ideas and develop collective strategies and skills to work towards the enhancement of their position in society.

ROMA PROJECT, PAVEE POINT TRAVELLER & ROMA CENTRE

46 North Great Charles Street, Dublin 1

T: 01 878 0255 E: info@pavee.ie WEB: www.paveepoint.ie

Pavee Point's Roma Programme works with the Roma Community to achieve full human rights for Roma in Ireland through policy change. The Pavee Point Roma staff can provide information and guidance in the area of discrimination in accommodation for Roma in Ireland.



LOCAL ORGANISATIONS

Depending on their capacity, your local Traveller organisation may be able to provide advice and practical support in relation to housing-related or other racism experienced by members of the Travelling and/or Roma Community. If not listed below, you can contact the **IRISH TRAVELLER MOVEMENT** or the **NATIONAL TRAVELLER WOMEN'S FORUM** *see NATIONAL ORGANISATIONS above* for the contact of a local Traveller project(s) near you. Contact the organisation directly to see what support they can provide.

The following organisations working with Traveller and/or Roma communities are Members of ENAR Ireland:

CAIRDE

See: 3.4.5. HEALTH AND FAMILY →

Cairde provides information and advocacy service to Roma community living in Balbriggan area through their local centre.

BALLYFERMOT TRAVELLERS ACTION PROJECT (BTAP)

Civic Centre, Ballyfermot Road, Ballyfermot, Dublin 10

T: 01 626 4166 E: susanbtap@gmail.com

CORK TRAVELLER VISIBILITY GROUP (TVG)

25 Lower John Street, Cork

T: 021 450 3786 E: tvgcork@gmail.com WEB: www.tvgcork.ie

CORK TRAVELLER WOMEN'S NETWORK

Triskel Arts Centre, Tobin Street, Cork

T: 086 777 7651 / 086 365 0136 E: corktravellerwomen@hotmail.com WEB: www.facebook.com/Cork-Traveller-Womens-Network-752270951645072/

DONEGAL TRAVELLERS PROJECT

→ **Main Office:** Port House, Port Road, Letterkenny, Co Donegal

T: 074 912 9281 E: travcom@eircom.net WEB: www.donegaltravellersproject.ie

→ **Ballyshannon Office:** Main Street, Ballyshannon, Co Donegal T: 074 912 2778



3. REPORTING RACIST DISCRIMINATION

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GALWAY TRAVELLER MOVEMENT

1 The Plaza, Headford Road, Galway

T: 091 765 390 **E:** info@gtmtrav.ie **WEB:** www.gtmtrav.ie

KERRY TRAVELLERS HEALTH & COMMUNITY DEVELOPMENT PROJECT

Aras naPhobail, Croilarna Maistealach, Tralee, Co Kerry

T: 066 7120054 **E:** projectmanagerkthcdp@eircom.net

WEB: www.kerrytravellersproject.wordpress.com

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

34 Paul Street, Cork

T: 021 427 3594 **E:** info@nascireland.org **WEB:** www.nascireland.org

Based in Cork, Nasc has a dedicated Roma Rights Officer to provide information, support and advice to Roma clients on issues relating to social protection, housing, and discrimination.

OFFALY TRAVELLERS MOVEMENT

Bury Quay, Tullamore, Co Offaly

T: 057 935 2438 **E:** info@otm.ie **WEB:** www.otm.ie

ROMA INTEGRATION ASSOCIATION

53 Dorset Street, Dublin 1

T: 01 671 3639 **E:** romaintegrationassociation@yahoo.ie

WEB: www.romaintegrationassociation.org

SLIGO TRAVELLER SUPPORT GROUP

1a St Anne's, Cranmore Road, Sligo

E: stsg@eircom.net **T:** 071 914 5780 **WEB:** www.stsg.ie

TALLAGHT ROMA INTEGRATION PROJECT (TRIP)

South Dublin County Partnership, County Hall, Block 3, Belgard Square North, Tallaght, Dublin 24

WEB: www.sdcpartnership.ie

WATERFORD TRAVELLER COMMUNITY DEVELOPMENT PROJECT (WTCDP)

Parish Centre, Ballybeg, Waterford

T: 051 357 016 **E:** admin@waterfordtravellercdp.com

WEB: www.waterfordtravellercdp.com



E. RACISM IN HOUSING: WHERE TO LOOK FOR SUPPORT

PUBLIC BODIES

IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)

See: 3.2. RACIST DISCRIMINATION AT WORK ←

RESIDENCIAL TENANCIES BOARD

See: 3.4.4. HOUSING: A. RACISM IN PRIVATE HOUSING ←

WORKPLACE RELATIONS COMMISSION

See: 3.2. WHERE TO REPORT DISCRIMINATION ←

ADVOCACY SERVICES

Organisations listed below, among other services, can provide you with specialist advice, support and/or advocacy in the area of housing rights. Contact each organisation directly to find out what services they provide.

For contact of organisations that provide free legal advice services please refer to See: **PART III. SUPPORTING VICTIMS OF RACISM: 3.3. LEGAL SUPPORT** section. →

CAIRDE

See: 3.4.5. HEALTH AND FAMILY →

CITIZEN INFORMATION SERVICES (CIS)

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

CULTÚR CELEBRATING DIVERSITY

See: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION ←

DUBLIN SIMON COMMUNITY TENANT INFORMATION AND SUPPORT SERVICE

T: 01 635 4888 E: prevention@dubsimon.ie

WEB: www.dubsimon.ie/Services/PreventingHomelessness/TenantInformationSupportService.aspx

The service works across the five administrative areas of Dublin City Council:

- Darndale (North Central)
- Ballyfermot (South Central)
- Wood Quay (Central)



3. REPORTING RACIST DISCRIMINATION

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- ➔ Aungier Street (South East)
- ➔ Finglas (North West)

The Tenant Information and Support Service works to support people to remain in their homes and give people the advice and support that they need in their local community. This service is provided by Dublin Simon Community on behalf of Dublin City Council and provides advice and information in the local drop-in clinics and through supports on a range of housing issues.

IMMIGRANT COUNCIL OF IRELAND

See: 3.3.1. RACIST DISCRIMINATION AT WORK ←

INNER CITY HELPING HOMELESS (ICHH)

72 Amiens Street, Dublin 1

T: 01 888 1804 E: info@ichhdublin.com WEB: www.ichh.ie

ICHH is a non-profit, volunteer led organisation set-up to help Dublin's homeless. It offers outreach and advocacy.

THRESHOLD NATIONAL HOUSING CHARITY

See: 3.4.4. HOUSING: A. RACISM IN PRIVATE HOUSING ←

SELF-SUPPORT HOUSING RIGHTS GROUPS

Self-support housing rights groups are peer advocacy groups made up of people who are tenants in the private rented sector, who have come together in order to empower, support, protect and inform each other of their housing rights. You can get in touch with your local group if you or someone you know has problems such as a threat of eviction, rent increases, poor conditions, homelessness etc., also if racism is involved.

BLANCHARDSTOWN HOUSING ACTION COMMITTEE

E: blanchhousing@gmail.com WEB: www.facebook.com/BlanchHousing

An independent, community activism group to fight the housing crisis in Blanchardstown and the wider Dublin 15 area.

DUBLIN CENTRAL HOUSING SUPPORT

WEB: www.facebook.com/pg/dubcentralhousingsupport

Dublin Central Housing Support is a housing support group run by tenants and volunteers from Dublin 1,3,7 and the wider city.



DUBLIN TENANTS ASSOCIATION

Family Parish Centre, Prussia Street, Dublin 7

E: dublintenants@gmail.com **WEB:** www.dublintonenants.com

Dublin Tenants Association is a peer-advocacy and tenant support group based in Dublin 7. They believe that housing is a social right for everyone, including those who rent. Their aim is to educate and empower themselves as tenants in the private residential sector to advocate for and secure rights to housing. They work together to educate and inform themselves of their rights; to access relevant services; to support each other in negotiating with landlords; and to take cases to the Private Residential Tenancies Board.

GALWAY HOUSING ACTION GROUP

E: galwayhousingactiongroup@gmail.com

WEB: www.facebook.com/morehousesplease/

Self-support housing rights group based in Galway.

HOUSING ACTION NOW

E: housingactionireland@gmail.com **WEB:** www.housingactionireland.wordpress.com

Housing Action Now is a collective of community workers, researchers and activists concerned with the growing housing crisis in Ireland.

THE HUB - IRELAND

The Distiller's Building, 1.19 Smithfield Business Centre, Smithfield, Dublin 7

T: 089 22 93 665 E: info@thehub-ireland.com **WEB:** www.thehub-ireland.com

The Hub is a group of individuals who have come together in a bid to help and advise people who are in mortgage difficulties, where you can get help with your 'case', meet and talk to people in similar situations and try to find solutions.

The IRISH HOUSINGNETWORK

E: irishhousingnetwork@gmail.com **WEB:** www.irishhousingnetwork.org

- ✓ Report housing problem: www.irishhousingnetwork.org/report-a-housing-problem/
- ✓ Contact details to the listed local groups: www.irishhousingnetwork.org/supports/
 - ➔ **Ballymun-Finglas Housing Action**
 - ➔ **Dublin Central Housing Action**
 - ➔ **Dublin 8 Housing Action**



3. REPORTING RACIST DISCRIMINATION

3.4.4. Housing

- Fingal Housing Crisis Community
- Housing Action Kildare
- North Dublin Bay Housing Crisis Community
- Kildare Housing Action
- Wexford Housing Action Group

The Irish Housing Network has been set up by a collection of housing and homeless groups fighting the ongoing housing and homeless crisis. They believe in the basic premise that housing is a right that should be provided based on need. They aim to share information, resources and coordinate action with groups across the island. Their local groups are made up of people from the communities organising and fighting back against exploitation and abuse.

KERRY HOMELESS AND HOUSING COALITION

WEB: www.facebook.com/Kerry-Homeless-And-Housing-Coalition-1562925227139288/

NATIONAL HOMELESS AND HOUSING COALITION

WEB: www.facebook.com/NationalHomelessandHousingCoalition/

The National Homeless and Housing Coalition arose out of a recognised need to come together to demand action to address the homelessness and housing crisis.

SOUTH DUBLIN CITY HOUSING ACTION

WEB: www.facebook.com/South-Dublin-City-Housing-Action-1704691279843402/

Self-support group set up to support those facing housing issues in the South Dublin County Council area and to inform, highlight, and campaign for housing rights.

TENANTS HOUSING ACTION

T: 021 242 8310 **WEB:** www.facebook.com/pg/CorkTRA/

The Tenants Rights Association is a non-party civil association for tenants to defend and represent their interests. It offers free services to tenants in both private and public housing.

For more ideas about addressing racism in housing

please [see: Part III. 2. RESPONDING TO RACISM IN A COMMUNITY: ANTI-RACISM CIVIL SOCIETY INITIATIVES and COMMUNITY SAFETY INITIATIVES →](#)





3.4.5. Health and family

The body responsible for the provision of health and social services to everyone living in Ireland is called the **HEALTH SERVICE EXECUTIVE (HSE)**. The HSE delivers services in hospitals, health facilities and in communities across the country. It is your right as a patient or service user of any health-related service, either private or public, to make a complaint if you believe that standards of care, treatment or practice fall short of what is acceptable.

➔ DISCRIMINATION COMPLAINTS

If you feel you were **discriminated against** by any health service in Ireland on any of the nine grounds listed in the equality legislation, you can make a complaint directly to **WORKPLACE RELATIONS COMMISSION** under Equal Status Acts. **The IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. *See: 3.2. WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure* ➔

➔ GENERAL COMPLAINTS AGAINST HEALTH SERVICES, MEDICAL AND SOCIAL CARE PROFESSIONALS

HEALTHCOMPLAINTS.IE

E: info@healthcomplaints.ie WEB: www.healthcomplaints.ie

Provides information on how to make a complaint or give feedback about all health and social care services and professionals in Ireland. If you have a complaint or comment about your care, Healthcomplaints.ie will help you to find the right place to give your feedback and advise how to do so.

You can access **guides to the complaints procedures** of 15 organisations in the health area on the Healthcomplaints.ie website.

HEALTH SERVICE EXECUTIVE (HSE)

T: 041 685 0300 **Callsave:** 1850 24 1850 E: hselive@hse.ie WEB: www.hse.ie

- ➔ **Complaints procedure:** www.hse.ie/eng/about/QAVD/Complaints/
- ➔ **List of services provided by the HSE:** www.hse.ie/eng/services/list/

HSE is responsible for the provision of public health and social services for everyone living in Ireland, in hospitals and communities across the country.



3. REPORTING RACIST DISCRIMINATION

3.4.5. Health and family

→ MAKING A COMPLAINT TO THE HEALTH SERVICE EXECUTIVE

As a patient or service user you can complain to the HSE about any of services it delivers, standards of care, treatments or practices if you believe that standards of care, treatment or practice fall short of what is acceptable. The complaints procedure is outlined below and you can find more detailed information on the procedure on their website.



STEP 1: MAKING A COMPLAINT

You can make a complaint to the HSE in following ways:

- **In person:** Talk to any member of HSE staff, service manager or Complaint Officer (contact details available at HSE website: www.hse.ie/eng/services/yourhealthservice/feedback/Complaint/).
- **Online:** send your complaint securely through the HSE *Your service your say* feedback form (www2.hse.ie/services/forms/your-service-your-say/).
- **By e-mail** with your feedback: yoursay@hse.ie.
- **By letter** or fax to any HSE location.
- **By phone:** 1890 424 555 (your call will be answered by a staff member from the National Complaints Governance and Learning Team)

Whether your complaint is verbal or in writing it will be acknowledged by HSE.



STEP 2: EXAMINING THE CASE: INFORMAL RESOLUTION OR FORMAL INVESTIGATION

Depending on the nature and seriousness of your complaint:

- ✓ A staff member/service manager will attempt to resolve your complaint locally; or
- ✓ A Complaints Officer will investigate the issues raised in your complaint.



STEP 3: HSE REVIEW

If you are not happy with the recommendations made by the Complaints Officer or the way your complaint was dealt with, you may ask for a review in writing from the **Director of Advocacy**:

3. REPORTING RACIST DISCRIMINATION

3.4.5. Health and family



DIRECTOR OF ADVOCACY

National Advocacy Unit, Quality and Patient Safety Directorate, HSE, Oak House,
Lime Tree Avenue, Millennium Park, Naas, Co. Kildare
T: 1890 424 555 E: yoursay@hse.ie



STEP 4: EXTERNAL REVIEW BY THE OMBUDSMAN

If you are still not happy with the outcome of the review you may request an independent review of your complaint from the **OFFICE OF THE OMBUDSMAN** or **OMBUDSMAN FOR CHILDREN** *See: 3.4.1. PUBLIC BODIES.* ←

HEALTH ADVOCACY AND SPECIALIST ORGANISATIONS

The organisations below can provide information and advice, act on your behalf or look after your complaint in the health area. Contact each organisation directly to see what support they can offer in your case.

CAIRDE

Cairde is a community development organisation working to tackle health inequalities among ethnic minority communities by improving ethnic minority access to health services. Cairde is an iReport.ie Racist Incident Reporting Centre.

→ Dublin Centre

19 Belvedere Place, Dublin 1

T: 01 8552111 E: info@cairde.ie WEB: www.cairde.ie

The Health Information and Advocacy Centre (HIAC) is a one stop shop in providing health information and advocacy to ethnic minority individuals and groups to enable them to access and use health services.

→ Balbriggan Centre

Old St. Georges School, Hampton Street, Balbriggan, Co Dublin

T: 01 802 0785 E: balbriggan@cairde.ie

Information and advocacy centre which supports users in accessing social and health services in North County Dublin.



3. REPORTING RACIST DISCRIMINATION

3.4.5. Health and family

CROSSCARE INFORMATION AND ADVOCACY SERVICES

3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION: C. USEFUL CONTACTS ←

NEW COMMUNITIES PARTNERSHIP, THE MIGRANT FAMILY SUPPORT SERVICE (MFSS)

WEB: www.newcommunities.ie/services2/mfss.html

→ **Dublin -NCP Migrant Family Support Service**
T: 01 872 7842 E: familysupport@newcommunities.ie

→ **Cork - NCP Cork Migrant Family Support Service**
T: 021 239 9910 E: familysupport@newcommunities.ie

The Migrant Family Support Service delivers culturally sensitive supports and advocacy services to migrant families who are experiencing child protection interventions. Services include information helpline, drop-in clinics in Dublin & Cork, referrals, accompaniment to Court and/or meetings in the Social Work Departments. The service offers practical advice and support to migrant families, foster families and social workers. MFSS also works with existing child protective services, and child support services, to promote the common goal of positive outcomes for migrant families. MFSS supports are FREE, confidential and is available nationwide.

PAVEE POINT HEALTH PROGRAMME

46 North Great Charles Street, Dublin 1

T: 01 878 0255 E: info@pavee.ie

WEB: www.paveepoint.ie

Pavee Point's Health Programme works to ensure health equality for Travellers and Roma through advocating for policy change and in the promotion of Primary Health Care Projects for Travellers and Roma.





3.4.6. Education

The Equal Status Acts 2000-2015 makes it unlawful for educational establishments (including pre-school services; primary or post primary schools; adult, continuing or further education establishments; universities or other third level institutions and private educational establishments) to discriminate on any of the nine grounds listed in the equality legislation. These nine grounds are: gender, marital status, family status, sexual orientation, religion (or none), age, disability, membership of the Traveller community and 'race' (including colour, nationality, ethnic or national origin). [See: 3.1.](#)

DISCRIMINATION AND THE LAW. ←

The Acts specify four areas in which a school must not discriminate:

- Student admission, including the terms or conditions of the admission of a student.
- Student access to a course, facility or benefit provided by the school.
- Any other term or condition of participation in the school.
- The expulsion of a student or any other sanction.

Certain exemptions apply, however they must not breach the Equal Status Acts.

➔ **For details see Schools and the Equal Status Act publication:** www.education.ie/en/Publications/Education-Reports/ge_schools_and_equality.pdf

If you feel you were discriminated against by an education provider on any of the grounds listed in the equality legislation, you can make a complaint directly to the **WORKPLACE RELATIONS COMMISSION** under the Equal Status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)**, through their **YOUR RIGHTS SERVICE**, provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. [See: 3.2.](#)

WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure ←



3. REPORTING RACIST DISCRIMINATION

3.4.6. Education

A. PRIMARY AND SECONDARY SCHOOLS

If you would like to make a complaint about a school and/or its staff, you should complain directly to the SCHOOL itself. The Department of Education has no role in the employment of staff in schools or a schools' day to day management. While it provides funding and policy direction for schools, it does not have the power to instruct schools to follow a particular course of action regarding individual complaint cases. However, it provides useful information on complaints procedures.

THE DEPARTMENT OF EDUCATION AND SKILLS

E: info@education.gov.ie WEB: www.education.ie

The main Department's offices are in Athlone, Dublin and Tullamore.

➔ Department's contact details are available at: www.education.ie/en/Contact-Us/

The Department of Education and Skills is the department of the Irish State with responsibility for education and training. The following resources give information about making complaints and the Equal Status Acts:

- ✓ **Guidance for parents who wish to make a complaint about a teacher or other staff members of a school:** www.education.ie/en/Parents/Information/Complaints-Bullying-Child-Protection-Discrimination/Complaints-Procedures.pdf
- ✓ **Schools and the Equal Status Acts:** www.education.ie/en/Publications/Education-Reports/ge_schools_and_equality.pdf
- ✓ **Complaints, Bullying, Child Protection, Discrimination:** www.education.ie/en/Parents/Information/Complaints-Bullying-Child-Protection-Discrimination/Parental-Complaints.html

The Department's Inspectorate conducts a programme of school evaluations in primary and post-primary schools. Inspectors evaluate aspects of the school's work, including policies and procedures to support pupils' well-being.

You may also contact **THE DEPARTMENT OF EDUCATION AND SKILLS SCHOOL GOVERNANCE SECTION**: (T: 090 648 3723 / 3737). They support the effective governance, management and operation of schools and would also provide information to parents on school governance policies.



MAKING A COMPLAINT ABOUT A SCHOOL



STEP 1: INTERNAL COMPLAINT.

- If you wish to make a complaint, in the first instance you should try to resolve the issue informally. If this does not help, make your complaint in writing and follow the **school's complaint procedure** to give them an opportunity to address your concerns. This procedure should lay out how to proceed and how long it should take the school to deal with your complaint. These policies and procedures should be made available to parents of children attending the school.

Who to contact when making a complaint:

- **Complaints about the school** should be directed to your child's **CLASS TEACHER (OR TUTOR)** first for an informal discussion.
 - ✓ If the teacher can't help, or if you are not satisfied with their response, you can talk to the **PRINCIPAL OF THE SCHOOL** or another member of staff before speaking with the principal, depending on a school's own procedures. You should be able to arrange a meeting or a telephone conversation through the school's office.
 - ✓ If the complaint is still unresolved you should raise the matter with the **CHAIRPERSON OF THE BOARD OF MANAGEMENT**. Check with the chairperson if you should put your complaint in writing. Generally, only those complaints which are written and signed by parents may be investigated formally by the board.
 - ✓ After reaching its decision, the management authority will let you know its decision on your complaint. This decision ends the school complaints process.
- **Complaint about a staff member (excluding the principal)** should be referred to the **SCHOOL PRINCIPAL**.
- In the case of a **complaint against a Principal**, Section 2.4 of the INTO / CPSMA Complaints Procedure advises that: '(...) the parent/guardian or a student (who has reached the age of 18 years) should discuss the complaint with the Principal, who may be accompanied by a Union Representative or colleague in the first instance. If the Parent/Guardian/Student is unable to resolve the complaint with the Principal, the complaint may be processed as provided for at Stages 3 and 4 of this procedure'.³⁵



3. REPORTING RACIST DISCRIMINATION

3.4.6. Education

STEP 2: EXTERNAL COMPLAINT

If you went through the school's internal complaint procedures and you are still dissatisfied with the outcome, you have a right to bring your complaint to an external body, depending on the nature of your complaint.

- **Complaints against school's administrative actions:** You can bring a complaint to **THE OFFICE OF THE OMBUDSMAN FOR CHILDREN (OCO)** to see if a school's administrative actions have had an adverse effect on a child or children or whether maladministration has occurred. OCO provides an independent and impartial complaint handling service, however, to avail it you must fully follow the school's complaints procedures first. [See: 3.4.1.PUBLIC BODIES for the information on the OCO's procedure](#) ←

The OCO can examine complaints in relation to:

- ✓ An administrative action of the school, staff or Board of Management - whether a school's policies are fair or/and have been followed correctly (under section 9 of the Ombudsman for Children Act, 2002).
- ✓ A negative or adverse effect that this action has had on a child.
- **Discrimination cases:** If you feel that your child has been **discriminated** against in their education and you have previously raised this matter with your school and remain unhappy with their response, you can make a complaint to **THE WORKPLACE RELATIONS COMMISSION**. [See: 3.2. WHERE TO REPORT DISCRIMINATION? for the complaint procedure](#) ←

RACIST BULLYING AT SCHOOL

WHAT IS BULLYING?

Bullying is defined by the Department of Education and Skills in the **Anti-Bullying Procedures for Primary and Post-Primary Schools**³⁶ as "unwanted negative behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time".

It's important to note that once-off offensive behaviour is not considered bullying.



The following types of bullying behaviour are included in the above definition:

- Deliberate exclusion;
- Malicious gossip and other forms of relational bullying;
- Cyber-bullying;
- Identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person's membership of the Traveller community and bullying of those with disabilities or special educational needs.

The **Equal Status Acts 2000-2015** prohibit harassment on any of the nine grounds: gender including transgender, civil status, family status, sexual orientation, religion (or none), age, disability, 'race' and membership of the Traveller community.

- These prohibitions apply to all aspects of school life, for example classrooms, sport fields or school tours.
- Schools may not permit pupils to harass other pupils.
- This prohibition also applies to staff or anyone who visits the school including parents, visiting sports teams and so on.
- Under equality legislation, schools may be liable for harassment committed by an employee in the course of their work, whether or not it was done with the school's knowledge or approval, as well as for harassment committed by people acting on their behalf who are not employees.

ANTI-BULLYING POLICY

In accordance with the **Education (Welfare) Act 2000³⁷** and the **Anti-Bullying Procedures For Primary And Post-Primary Schools³⁸** all schools are legally required to have an anti-bullying policy within the framework of their overall code of behaviour. Such policy must set out the school's procedures for investigating and dealing with bullying and the school's procedures for the formal noting and recording of bullying behaviour.

What to do when your child is bullied at school

- As a general rule, a pupil or parent may bring a bullying concern to **ANY TEACHER IN THE SCHOOL**. All schools are required to have an **anti-bullying policy** and individual teachers must take appropriate measures regarding reports of bullying behaviour in accordance with the school's policy. Familiarise yourself with this document, so you know the steps to follow if required.



3. REPORTING RACIST DISCRIMINATION

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- At **primary level**, the member of teaching staff who has responsibility for investigating and dealing with bullying is normally **THE CLASS TEACHER**.
- At **post-primary level**, the school determines which members of teaching staff have this responsibility. The school's anti-bullying policy must clearly indicate the relevant teachers in the school.
- If your child is being **bullied by a teacher, the principal or other school staff member**, you should, in the first instance raise the issue with the **STAFF MEMBER IN QUESTION** and/or if necessary, with the **PRINCIPAL**. Where cases relating to either a pupil or a teacher remain unresolved, the matter should be referred to the **SCHOOL'S BOARD OF MANAGEMENT**.
- If you are concerned that the school has not dealt with a bullying case in accordance with these procedures, you should be referred to the **school's complaints procedures**.
- All schools should have a **programme of support for pupils who have been bullied** in place. Such pupils may need counselling and/or opportunities to participate in activities designed to raise their self-esteem, to develop their friendship and social skills and thereby build resilience whenever this is needed. Talk to your child's school directly for details.
- If you have exhausted the school's complaints procedures and are still not satisfied, you can make a complaint to the **OMBUDSMAN FOR CHILDREN (OCO)**.
See: 2.2.1. PUBLIC BODIES section for the information on the procedure. ←
- In certain cases, it may be necessary for the school to seek assistance from appropriate, relevant professionals and agencies such as **NATIONAL EDUCATIONAL PSYCHOLOGICAL SERVICES (NEPS)**, social workers, community workers etc.

NATIONAL EDUCATIONAL PSYCHOLOGICAL SERVICES (NEPS)

Department of Education and Skills, Marlborough Street, Dublin 1

T: 01 889 2700 E: neps@education.gov.ie

WEB: www.education.ie/en/Parents/Information/Educational-Psychological-Services/

➔ **NEPS Regional Offices:** www.education.ie/en/Schools-Colleges/Services/National-Educational-Psychological-Service-NEPS-/neps_regional_contacts.pdf

NEPS is a service of the Department of Education and Skills (DES) and provides psychological services in public and private primary and post-primary schools and in related educational centres. NEPS psychologists work with schools and are



concerned with learning, behaviour, social and emotional development of pupils. The service has particular regard for children with special educational needs.

- **Serious instances of bullying behaviour** and where it is regarded as potentially abusive, the school should be referred to the **TUSLA THE CHILD AND FAMILY AGENCY** and/or **GARDAÍ** (in accordance with the *Children First*³⁹ and the *Child Protection Procedures for Primary and Post-Primary Schools*.⁴⁰

While more extreme forms of bullying would be regarded as physical or emotional abuse and should be reported to the agencies below, dealing with bullying is normally the responsibility of the school or organisation where it is taking place.

- ✓ **TUSLA** has a duty to assess reports regarding a child's welfare or safety. A report can be made in person, by telephone or in writing. Any member of the public who has a concern about a child can contact the **LOCAL SOCIAL WORK DUTY SERVICE** in the area where the child lives for advice about reporting.

TUSLA, THE CHILD AND FAMILY AGENCY

The Brunel Building, Heuston South Quarter, St John's Road West, Dublin 8
T: 01 771 8500 E: info@tusla.ie WEB: www.tusla.ie

- ➔ **List of Child and Family Agency Social Workers by county:** www.tusla.ie/get-in-touch/duty-social-work-teams
- ➔ **List of local social work duty services:** www.tusla.ie/services/child-protection-welfare/contact-a-social-worker

TUSLA is the dedicated state agency responsible for improving wellbeing and outcomes for children. The Children & Family Services functions of the HSE are now part of TUSLA. TUSLA's services include:

- Child Protection and Welfare Services;
- Educational Welfare Services;
- Psychological Services;
- Alternative Care;
- Family and Locally-based Community Supports;
- Early Years Services;
- Domestic, Sexual and Gender-Based Violence Services.



3. REPORTING RACIST DISCRIMINATION

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- ✓ **AN GARDA SÍOCHÁNA** is responsible for the investigation of alleged offences and whether a crime has been committed. Any query or concern in relation to children out of office hours should be reported immediately to An Garda Síochána.

➔ **List of local Garda Stations:** www.garda.ie/en/Contact-Us/Station-Directory/

- Advice on the operation of school complaints procedures can be provided by the **PARENTS AND LEARNERS UNIT**.

PARENTS AND LEARNERS UNIT

Department of Education and Skills, Cornamaddy, Athlone, Co Westmeath

T: 090 648 4280/ 3864/ 3869/ 4269/ 3880/ 4263

WEB: www.education.ie/en/The-Department/Management-Organisation/parents-and-learners-unit.html

The Parents and Learners Unit administers appeals under Section 29 of the Education Act and provides advice to parents and students on the operation of schools' complaint procedures. Their role includes:

- ✓ Processing appeals under Section 29 of the Education Act, 1998;
- ✓ Clarifying for parents and pupils how grievances and complaints against schools can be progressed;
- ✓ Liaising with schools and other relevant authorities on all child protection allegations within the school sector, in line with the Department's Child Protection Guidelines;
- ✓ Liaising and consulting as appropriate with the national parent representative bodies.

Cyber-bullying

Cyber-bullying is bullying carried out with information and communication technologies such as text, social network sites, e-mail, instant messaging (IM), apps, gaming sites, chat rooms and other online technology. Being the target of inappropriate or hurtful messages is the most common form of online bullying. The procedures published by the Department of Education and Skills say "placing a once-off offensive or harmful public message, image or statement on a social network site or other public forum where that message, image or statement can be **viewed and/or repeated by other people** will be regarded as bullying behaviour"⁴¹.

3. REPORTING RACIST DISCRIMINATION

3.4.6. Education



- Cyber-bullying can happen to anyone and the bully can act anonymously if they want. People can also be bullied online by groups of people such as class groups or collective members of an online community.
- For more information on online safety, reporting and dealing with online hate speech and cyber-bullying on various social media platforms see: [4.2. RACISM AND HATE SPEECH ONLINE →](#)

Although cyber-bullying uses technology, the way and procedures to support children being bullied is the same regardless of the type of bullying that is happening.

PERMANENT EXCLUSION, SUSPENSION OR REFUSAL TO ENROL

- Under **Section 29 of the 1998 Education Act**⁴² parents can appeal a decision by a school's Board of Management (see below) to:
 - ✓ Permanently exclude a student from the school.
 - ✓ Suspend a student from the school for a cumulative period of 20 school days in any one school year.
 - ✓ Refuse to enrol a student in the school.

MAKING A SECTION 29 APPEAL AGAINST PERMANENT EXCLUSION, SUSPENSION OR REFUSAL TO ENROL

- The appeal may be made to **THE SECRETARY GENERAL OF THE DEPARTMENT OF EDUCATION AND SKILLS** and be heard by a committee appointed by the Minister for Education and Skills for that purpose.
- To appeal submit completed **Section 29 Appeals Application Form** (available from www.education.ie), and a letter confirming the decision of the board of management to:

SECTION 29 APPEALS ADMINISTRATION UNIT

Department of Education and Skills, Friar's Mill Road, Mullingar, Co Westmeath
T: 044 933 7008 E: section29@education.gov.ie WEB: www.education.ie/en/Parents/Services/Appeal-against-Permanent-Exclusion-Suspension-or-Refusal-to-Enrol/

- The letter must be signed by a board of management member; title of signatory must clearly state board of management membership or secretary to the board.



3. REPORTING RACIST DISCRIMINATION

3.4.6. Education

- Schools should advise parents of this right of appeal and associated timeframe.
- The appeal should be submitted within **42 days** from the date the decision of the board of management was notified to the appellant.
- **More information on section 29 appeals** including the process and application forms is available from the Department's website www.education.ie

ORGANISATIONS THAT CAN HELP

National Parents Councils

National Parents Councils can advise parents about issues they may have with a school and can provide advice and guidance in situations where the Office of the Ombudsman for Children cannot.

THE NATIONAL PARENTS COUNCIL PRIMARY (NPC)

12 Marlborough Court, Dublin 1

Information/Helpline: T: 01 887 4477 E: helpline@npc.ie

General contact: T: 01 887 4034 E: info@npc.ie **WEB:** www.npc.ie

NPC is the representative organisation for parents of children in primary or early education to ensure that all parents are supported and empowered to become effective actors in their children's education.

The NPC's Helpline Officers respond to queries on any aspect of child's education such as:

- ✓ Setting up Parent Associations
- ✓ Supervision and Safety at school
- ✓ Bullying
- ✓ School transport
- ✓ Homework
- ✓ Insurance
- ✓ Uniforms
- ✓ School policies
- ✓ Complaints procedure
- ✓ Whole school evaluation

THE NATIONAL PARENTS COUNCIL POST-PRIMARY (NPCPP)

Unit 6 - Building 125, OMNI Shopping Centre, Santry, Dublin 9

T: 01 862 3346 E: manager@npcpp.ie **WEB:** www.npcpp.ie



NPCPP is a voluntary group that gives national voice to parents of students in post primary schools in Ireland. It works as an umbrella group for parent associations in the secondary section of the Irish education system. NPCPP aims to provide a forum that actively supports parents and guardians in their parenting role and to interact effectively with schools and other education partners on issues that impact on the education, development and general well-being of young people within the post-primary education system.

Diversity and anti-racism programmes for schools

NO HATE SPEECH MOVEMENT IRELAND

T: 089 231 8852 E: nhsmireland@gmail.com WEB: www.nohatespeech.ie

➔ **Youth Ambassadors Programme:** www.nohatespeech.ie/get_involved

The Irish campaign of the wider European No Hate Speech Movement standing for human rights online, coordinated by Eurobug, along with a team of No Hate Speech Youth Ambassadors. The campaign is against expressions of hate speech online in all its forms, including those that most affect young people, such as cyber-bullying and cyber-hate speech. The campaign is based upon human rights education, youth participation and media literacy. It aims to reduce hate speech and to combat discrimination online. The campaign is not run to limit freedom of expression online.

SHOW RACISM THE RED CARD (SRRC)

Carmichael Centre for Voluntary Groups, North Brunswick Street, Dublin 7
E: info@theredcard.ie WEB: www.theredcard.ie

SRRC produces anti-racist educational resources which help to tackle racism. Their educational resources include video, education pack, factsheets, downloadable interactive resources and online training module which aims to tackle racism. SRRC deliver programmes which help impact to tackle racism and promote integration.

SPORT AGAINST RACISM IRELAND (SARI)

135 Capel Street, Dublin 1
T: 01 873 5077 E: info@sari.ie WEB: www.sari.ie

SARI is dedicated to promoting and supporting cultural integration, social inclusion and cohesion in the Irish Republic, Northern Ireland and abroad by using sport as a medium to combat racism, sectarianism, xenophobia, homophobia and all other forms of discrimination.



3. REPORTING RACIST DISCRIMINATION

3.4.6. Education

YELLOW FLAG PROGRAMME

The Irish Traveller Movement, 4-5 Eustace Street, Dublin 2

T: 01 679 6577 M: 087 241 0258 E: yellowflag@itmtrav.ie WEB: www.yellowflag.ie

The Yellow Flag Programme provides a practical series of 8 steps that brings issues of interculturalism, equality and diversity into a whole-school programme and allows schools to apply them to the day to day running of the school. It works with students, staff, management, parents and wider community groups so that issues of diversity and equality are not merely seen as “school subjects” but can be understood and taken outside the school setting into everyone’s personal lives.

In parallel with the Green Schools, the Yellow Flag programme is an award scheme, therefore, on completing these steps, and being assessed externally, the school is awarded its “Yellow Flag” in recognition of its work in promoting diversity and inclusion. The award is publicised locally, and the school can fly its flag with pride and use the logo on its official correspondence. For more information on becoming a Yellow Flag school contact the Irish Traveller Movement.

B. COLLEGES AND INTERNATIONAL STUDENTS

DISCRIMINATION COMPLAINTS


- If you feel you were **discriminated against by your education provider** on any of the grounds listed in the equality legislation, you can make a complaint directly to the **WORKPLACE RELATIONS COMMISSION** under the Equal Status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** can provide advice and support you with bringing a discrimination claim to the WRC. *See: 3.2.*

WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure ←

GENERAL COMPLAINTS

- Universities and Institutes of Technology are autonomous institutions within the meaning of the **Universities Act 1997**⁴³ and the **Institutes of Technology Act 2006**⁴⁴, therefore, if you wish to make a complaint you should first raise the issue internally with **YOUR UNIVERSITY OR COLLEGE** and follow their complaints procedures. All universities and Institutes of Technology are required to have **formal complaints procedures** in place which are normally only invoked when informal procedures have been exhausted. Details of formal complaint procedures can be accessed on the relevant institution’s website.



- If you are not happy with your university's decision on your complaint and the institution you complained about is a **publicly funded third level education body**, you have a right to contact the **OFFICE OF THE OMBUDSMAN** *See: 3.4.1. PUBLIC BODIES section for the information on the procedure* , who by law, can investigate complaints about any administrative actions or procedures as well as delays or inaction in your dealings with the educational institution. The Ombudsman provides an impartial, independent and free dispute resolution service.

➔ **List of Higher Education Institutions in Ireland:** www.education.ie/en/Learners/Information/Providers-of-Higher-Education/List.html

ORGANISATIONS THAT CAN HELP

Your college **STUDENTS' UNION** is an independent source of advice, support, guidance and representation for any student wishing to make a complaint. Alternatively, you may wish to contact the Equality Section of the **UNION OF STUDENTS IN IRELAND** (see below).

UNION OF STUDENTS IN IRELAND (USI)

14 Mount Street Upper, Dublin 2

T: 01 7099 300 E: equality@usi.ie WEB: www.usi.ie

USI is the national representative body for the 354,000 students in third level education on the Island of Ireland. They are a membership organisation made up of affiliated Students' Unions around Ireland, North and South. USI is also an iReport.ie Racist Incident Reporting Centre.

IRISH COUNCIL FOR INTERNATIONAL STUDENTS (ICOS)

41 Morehampton Road, Dublin 4

T: 01 660 5233 E: office@icosirl.ie WEB: www.icosirl.ie

ICOS is an independent organisation advocating for the rights of all international students in Ireland, whether studying in higher education, further education, in a language school or other institution. ICOS is also an iReport.ie Racist Incident Reporting Centre.



3. REPORTING RACIST DISCRIMINATION

3.4.6. Education





3.4.7. Youth work services

The following key policy documents and legislation regulate youth work in Ireland and require delivery of youth services based on the principles of equality and inclusion:

- **National Youth Strategy 2015-2020⁴⁵** developed by The Department of Children and Youth Affairs aims to enable all young people to realise their maximum potential, by respecting their rights and hearing their voices, while protecting and supporting them as they transition from childhood to adulthood. Its principles speak of:
 - ✓ Respect and appropriate support for the professionals and volunteers who work with young people.
 - ✓ Provision of services for young people that respects and uphold young people's rights.
 - ✓ An equality perspective that is integrated into all policy and practice.
 - ✓ A commitment from Government and other stakeholders to work collaboratively, with vertical and horizontal communication and cooperation, to achieve more effective services and supports for young people.
 - ✓ Services for young people are open, accessible, resourced and provide additional support in response to particular needs.
 - ✓ Services for young people are quality assured, outcomes focused and informed by evidence.
- **Youth Work Act, 2001⁴⁶** governs all youth work in Ireland and commits youth services to meet the needs of all young people equally and fairly.
- **National Youth Work Development Plan 2003-2007⁴⁷**, in accordance with the Equal Status Act, places obligations on youth workers to deliver services in an equal, non-discriminatory and inclusive manner. It commits to a vision of youth work which "values diversity, aims to eradicate injustice and inequality, and strives for openness and inclusiveness in all its dealings with young people and adults."
- **Quality Standards in Youth Work (the National Quality Standards Framework, NQSF⁴⁸; and the National Quality Standards for Local Voluntary Youth Groups, NQSVLYG⁴⁹)** support assessment of youth services and help them develop and achieve more equal and inclusive practice.



3. REPORTING RACIST DISCRIMINATION

3.4.7. Youth work services

- **Equal Status Acts, 2000 to 2015** prohibit youth services (whether volunteer-led or run by paid staff, paid or free of charge), from discriminating and harassment on the following nine grounds listed in the legislation: gender, civil status, family status, sexual orientation, religion (or none), age, disability, 'race' (includes skin colour, nationality or ethnic or national origins), and membership of Travelling community. Under Equal Status Acts **it is not discrimination** when youth services:

- ✓ Provide preferential treatment;
- ✓ Take positive actions that are genuinely intended to promote equality of opportunity for young people covered by the nine grounds.

See: 3.2. *WHERE TO REPORT DISCRIMINATION?* for more details on discrimination and equality legislation. ←

HARASSMENT IN THE YOUTH SERVICE

Harassment is any form of unwanted conduct related to any of the discriminatory grounds that has the purpose or effect of violating a person's dignity and creating a hostile, humiliating or offensive environment for the person. Harassment, including sexual harassment, on any of the nine grounds is prohibited in all aspects of a youth service: in programmes, in drop-ins, on trips, on the sports field, and so on.

A person responsible for the operation of a youth service must not permit a young person to be harassed or to be sexually harassed because of their identity or status based on the nine grounds. **This responsible person is liable for the harassment unless they took reasonably practical steps to prevent it.** This means that you could take a case against a youth service if your child is being harassed or sexually harassed by another person in the group. It's the responsibility of the youth service to prove that they took all reasonable measures to ensure that it was stopped.

COMPLAINT ABOUT A YOUTH SERVICE



STEP 1: INTERNAL COMPLAINTS PROCEDURE

- If your child has experienced **racism by a youth worker or other youth service staff member** you should in the first instance request, familiarise yourself and follow the organisation's complaint procedures. As a rule, it's advisable to raise the issue with the **STAFF MEMBER IN QUESTION** first and/or if necessary, with the **SERVICE MANAGER**. If the youth service is a part of a larger organisation, and

3. REPORTING RACIST DISCRIMINATION

3.4.7. Youth work services



they do not address the problem, you may contact their regional or national office to make a complaint. Make sure you keep a record of all the conversations you have with the service. This could be in the form of letters or emails, or it could be notes that you have taken of a meeting or phone call.

- **Youth services are liable for discrimination or harassment committed by an employee** in the course of their work, whether it was done with the youth service's knowledge or approval, unless the service can prove that it took reasonably practical steps to prevent the employee from committing the actions. The same applies to both the actions of workers and of young people.
- If your child has experienced **racism from other service user(s)** you should raise the issue with your child's **YOUTH WORKER** or **YOUTH LEADER**. The service may then take various actions such as dealing with the young people directly as prescribed in their policies. To tackle the issue the service can also be requested to organise an activity addressing interculturalism or/and anti-racism such as a talk, workshop or training for its staff and/or its youth members; review existing equality and inclusion policies or develop them if they have none in place; or use restorative practice mechanisms to enable change. If the organisation in question does not take any steps to prevent or stop racist behaviour of a youth member, they may be liable for the discrimination or harassment committed by a young person in their organisation.



STEP 2: EXTERNAL COMPLAINT

- If you believe that **racist discrimination or harassment** took place, and you went through the youth service's internal complaints procedure without solving the problem, you have a right to bring a complaint to **WORKPLACE RELATIONS COMMISSION (WRC)** under Equal Status Act. You can also contact **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** for information and advice before making a complaint to the WRC. *See: 3.2. WHERE TO REPORT DISCRIMINATION section for the information on the procedures.* ←
- If the youth service in question is funded by the Government and you fully followed the youth service's complaints procedures without resolving the issue, you can contact **OFFICE OF THE OMBUDSMAN FOR CHILDREN (OCO)** who will look at whether the way a young person has been treated is fair and is in line with the rules in place. OCO provides an independent and impartial complaint handling service. *See: 2.2.1. PUBLIC BODIES section for the information on the procedure* ←



3. REPORTING RACIST DISCRIMINATION

3.4.7. Youth work services

ORGANISATIONS THAT CAN HELP

If you are a parent or a young person and you are not satisfied with the youth service response to your complaint, or you are a youth worker concerned about racist behaviour within your organisation, you can get in touch with the national head office of the youth service or contact the **NATIONAL YOUTH COUNCIL IRELAND (NYCI)** which is the national youth work representative organisation, to get advice on your options. NYCI can provide advice and training on social inclusion, diversity, policy development etc.

NATIONAL YOUTH COUNCIL OF IRELAND (NYCI)

3 Montague Street, Dublin 2

T: 01 478 4122 E: info@nyci.ie WEB: www.nyci.ie

➔ **NYCI Member Organisations:** www.youth.ie/members

➔ **NYCI Intercultural and Equality Project:** E: anne@nyci.ie

WEB: www.intercultural.ie

✓ **Access All Areas – a Diversity Toolkit for the Youth Work Sector:** www.youth.ie/diversity

NYCI is a membership-led umbrella organisation that represents and supports the interests of voluntary youth organisations and uses its collective experience to act on issues that impact on young people. It seeks to ensure that all young people are empowered to develop the skills and confidence to fully participate as active citizens in an inclusive society. NYCI is committed to supporting youth organisations to achieve more equal, intercultural and inclusive communities. NYCI is an iReport.ie Racist Incident Reporting Centre.

NYCI's **Intercultural and Equality Programme** can provide a detailed template on developing an Equality and Intercultural Policy and offers *Tackling Racism, Homophobia and Sexism* and *Tackling Hate in Youth Settings* training courses.

NO HATE SPEECH MOVEMENT IRELAND

T: 089 231 8852 E: nhsmireland@gmail.com WEB: www.nohatespeech.ie

No Hate Speech Movement Ireland is coordinated by Eurobug along with a team of No Hate Speech Youth Ambassadors. The Movement operates its own national online campaign platform and creates projects that promote social inclusion, equality, human rights and solidarity on and off line.

See: 3.4.6. A. PRIMARY & SECONDARY SCHOOLS for more information ←

3. REPORTING RACIST DISCRIMINATION

3.4.7. Youth work services



EUROBUG INTERNATIONAL YOUTH WORK TRAINING AND COLLABORATION

E: eurobuginternational@gmail.com WEB: www.eurobug.co.uk

Eurobug is an Irish non-government youth organisation. It stands for social inclusion of young people and minority groups by providing international quality trainings for youth and community workers, volunteers and youth activists. Its direct youth work includes organising international youth exchanges and mentoring young Eurobug volunteers.

SPORT AGAINST RACISM IRELAND

See: 3.4.6. EDUCATION ← and 3.4.8. SPORT →

SHOW RACISM THE RED CARD

See: 3.4.6. EDUCATION ← and 3.4.8. SPORT →

For more information on racism experienced by young people in education, sport, and online, including dealing with bullying and cyber-bullying as well as for list of supportive organisations, please see the following chapters: 3.4.1. PUBLIC BODIES ←,

4.2.2. CYBER-BULLYING ←, 4.2.3. SOCIAL MEDIA ←, 3.4.6. EDUCATION ←, 3.4.8. SPORT →

and PART III. SUPPORTING VICTIMS OF RACISM →





3. REPORTING RACIST DISCRIMINATION

3.4.8. Sport

3.4.8. Sport

STATUTORY BODIES

- Sport clubs and facilities are among the areas covered by the Equal Status Acts, 2000-2015. You can complain about **a sport club, gym or any other sports organisation which discriminates against you** to the **WORKPLACE RELATIONS COMMISSION (WRC)** under those Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION? and 3.4.9. A. NON-REGISTERED CLUBS** ←
- If you believe that a **crime** has been committed or you/someone you know may be in danger you should report it to **AN GARDA SÍOCHÁNA**. **See: 2. REPORTING RACIST CRIME** ←
- To report **child protection** concerns you can refer to **Code of Ethics and Good Practice for Children's Sport in Ireland** (www.sportireland.ie/Participation/Code_of_Ethics/Code_of_Ethics_Manual/). The document addresses issues relating to the roles and responsibilities of all involved in children's sport and describes how to deal with such suspicions in sport in accordance with government guidelines in the **Children First: National Guidelines for the Protection and Welfare of Children**⁵⁰.
 - ✓ All sport governing bodies and sports clubs must adopt the above-mentioned child protection policies and procedures, support them in their constitutions and have adequate disciplinary, complaints and appeals procedures in place. Contact your club directly to avail of their policies and procedures.
 - ✓ All adults involved in sports have a responsibility to protect children from harm, including racist behaviour, and to abide by the above guidelines in responding to and reporting child protection concerns.
 - ✓ All **child abuse or risk of abuse** concerns in sport must be reported to the **TUSLA CHILDREN AND FAMILY SERVICES LOCAL SOCIAL WORK DUTY SERVICE** in the area the child lives. If you are unsure, you can discuss your suspicions with the social worker before deciding to make a formal report. **See: 3.4.6. EDUCATION: A. PRIMARY & SECONDARY SCHOOLS** ← for contact details. The investigation of suspected child abuse is the responsibility of the statutory authorities and should not be undertaken by Children's Officers/



Designated Persons or other sport club/organisation. The standard reporting procedure outlined in the government guidelines should be followed by each sports club/organisation and adhered to by its members.

SPORTS GOVERNING BODIES

- All National Governing Bodies for Sports must have Child Protection policies in their constitutions, while only a small number have Equality, Equity, Integration and Inclusion clauses.
- Many sports organisations and clubs do not have specific provisions to address racism. However, any incident of racist nature can be dealt with by following the relevant sport club/organisation's disciplinary or/and complaints procedures as outlined in their code of ethics or/and rule book.
- As a general rule, the dispute should be dealt with and appealed on the **CLUB LEVEL** first. If any of the involved parties is not satisfied with an outcome, the issue can be referred to the **COUNTY BOARD** and then to the **PROVINCIAL COUNCIL** and the **NATIONAL SPORT GOVERNING BODY** respectively. Refer to your club's or the relevant sport representative body's procedures for details on how to proceed.

➔ **The list of National Governing Bodies of Sport:** www.irishsport.ie/ngbs/

- Suspected **racist abuse or discrimination** may also be the subject of a statutory investigation by a relevant statutory body' such as **WORKPLACE RELATIONS COMMISSION (WRC)** in discrimination cases, **AN GARDÁ SÍÓCHÁNA** if a crime has been committed or **TUSLA** if a child's protection is a concern. See: 3.4.6. **EDUCATION: A. PRIMARY AND SECONDARY SCHOOLS** ←





3. REPORTING RACIST DISCRIMINATION

3.4.8. Sport

Below you can find policies relevant to reporting procedures of selected larger sports organisations in Ireland.

ATHLETICS IRELAND

Unit 6, Block 8, Blanchardstown Corporate Park 1, Ballycoolin, Dublin 15
T: 01 886 9933 E: admin@athleticsireland.ie WEB: www.athleticsireland.ie

- ➔ **Complaints & Disciplinary Process:** www.athleticsireland.ie/juvenile/child-welfare/complaints-and-disciplinary-process/

Athletics Ireland is the National Governing Body for athletics in Ireland with the objective to promote and develop the sport at every level from recreational running and schools competitions through to supporting Ireland's elite athletes in international competitions. It has 344 affiliated clubs with a combined membership of over 58,000.

- ➔ **Child welfare concerns** are governed by the *Code of Ethics and Good Practice for Children in Athletics*. The document lists equality among its main guiding principles and outlines complaints/appeals procedures that should be adopted by each club.

CYCLING IRELAND

The Clockhouse, National Sports Campus, Snugborough Road, Blanchardstown, Dublin 15
T: 01 855 1522 E: contactus@cyclingireland.ie WEB: www.cyclingireland.ie

Cycling Ireland is the National Governing Body for the sport of cycling on the island of Ireland with over 450 clubs set up around the country catering to over 28,000 members. The aim of Cycling Ireland is to promote cycling as an accessible and enjoyable pursuit, where every cyclist may participate and develop to their full potential.

- **Equality Policy (including Disciplinary Procedure):** www.cyclingireland.ie/downloads/ci-policy-025_equality_policy_final.pdf
- **Cycling Ireland Code of Conduct** (www.cyclingireland.ie/page/about/safeguarding) provides principles and guidelines to be adopted when dealing with young people and vulnerable adults. If you have any concerns or queries you can contact **NATIONAL SAFEGUARDING OFFICER** (E: safeguarding@cyclingireland.ie) whose role is to protect and promote the welfare of young and vulnerable cyclists and to prevent any risk of harm to the Cycling Ireland members.

The FOOTBALL ASSOCIATION OF IRELAND (FAI)

National Sports Campus, Abbotstown, Dublin 15
T: 01 8999 500 E: info@fai.ie WEB: www.fai.ie



- ➔ **Intercultural Football Plan and Programme** (www.fai.ie/domestic/take-part-programmes/intercultural-programme)
- ➔ **Integration Through Football Project:** www.fai.ie/domestic/take-part-programmes/integration-through-football-project

The FAI is the governing body for association football in the Republic of Ireland. The FAI is working closely with their affiliates throughout the country to organise football for players of every level and actively encourage people to participate in the game. The FAI organises schools competitions, and international teams, including the senior team, underage teams, and the Olympic team.

DEALING WITH RACISM IN FOOTBALL

- For detailed FAI guidelines on how to report and manage racism and discrimination in football, refer to **Antiracism and Discrimination Guidance Manual** (www.fai.ie/sites/default/files/atoms/files/Antiracism_And_Discrimination_Guidance_Manual.pdf). The document also includes racist incident/discrimination reporting form.
- According to the Manual *"All affiliated football bodies/members of the FAI (clubs, leagues, FA's, divisional associations etc.) are required to ensure that they have adequate disciplinary, complaints and appeals procedures in place. Such bodies must also be in a position to deal with complaints of a racist or discriminatory nature, either reported by a match official or made by way of complaint by any party to a football body"*.
- **Procedures:** Concerns can sometimes be dealt with in an informal manner to the satisfaction of all concerned, however if this do not resolve the issue the formal complaints and appeals procedure of the football organisation involved can be used. All efforts to resolve matters should be exhausted at local level before accessing the appeals procedure. Where the complaint is not processed properly and promptly the case may be referred to FAI which can intervene and investigate a complaint under its rules.
- In the **FAI Rulebook** (www.fai.ie/domestic/governance/fai-rule-book), **Rule 76** sets out the association's position regarding racism and discrimination in relation to players, spectators and football clubs.



3. REPORTING RACIST DISCRIMINATION

3.4.8. Sport

GAELIC ATHLETIC ASSOCIATION (GAA)

Croke Park, Dublin 3

T: 01 836 3222 E: queries@gaa.ie WEB: www.gaa.ie

The GAA is a 32-county sporting and cultural organisation that has a global presence. The GAA is a volunteer led, community-based organisation that promotes Gaelic games such as Hurling, Football, Handball and Rounders and works with sister organisations to promote Ladies Football and Camogie.

DEALING WITH RACISM IN THE GAA

- **GAA Official Guide:** The GAA published guidelines which promote social inclusion and forbid racism based on cultural or ethnic origin and religious beliefs among other rules. Those guidelines also outline disciplinary procedures and how to deal with misbehaviour and misconduct.
 - **The Code of Behaviour (Underage):** (www.gaa.ie/news/gaa-code-behaviour) addresses the minimum appropriate levels of behaviour, practice and conduct required from all persons playing, participating or attending GAA games and activities. The code forbids racism and discrimination, outlines GAA Anti-Bullying Policy and explains how to deal with breaches of the Code. Clubs, County Boards and Games Officials at all levels are obliged to implement this Code.
 - Racist incidents involving young people in GAA are dealt with by following the association's general disciplinary procedures. Minor instances of poor practice can be dealt with at **CLUB OR AT COUNTY LEVEL** by the **CHILDREN'S OFFICER** in an informal manner. This could include meeting with the person responsible for the poor practice and resolving the issue to the satisfaction of both parties. All such outcomes should be noted by the Children's Officer.
- ➔ **Contacts of GAA County Children's Officers:** www.gaa.ie/news/gaa-county-children-officer-contacts/

CONFEDERATION OF GOLF IN IRELAND

Carton Demesne, Maynooth, Co. Kildare

T: 01 505 4272 E: info@cigigolf.org WEB: www.cigigolf.org

The CGI is an organisation, created by the Golfing Union of Ireland (GUI), the Irish Ladies Golf Union (ILGU) and the Professional Golfers Association (PGA) to help advance the sport of golf on the island of Ireland, for the future. The CGI complements the work of the associations as well as providing a necessary combined approach to certain key strategic areas.

- ➔ **Safeguarding rules:** www.cigigolf.org/safeguarding/



SWIM IRELAND

Irish Sport HQ, National Sports Campus, Blanchardstown, Dublin 15
T: 01 625 1120 E: admin@swimireland.ie WEB: www.swimireland.ie

- ➔ **Complaints and disciplinary rules and procedures:** www.swimireland.ie/news/swim-ireland-complaints-and-disciplinary-rules-and-procedures-rule-book-updates

Swim Ireland is the National Governing Body for swimming, water-polo, diving and associated aquatic disciplines in Ireland. It has over 14,000 members and over 150 Affiliated Clubs.

IRISH RUGBY FOOTBALL UNION (IRFU)

10/12 Lansdowne Road, Dublin 4
T: 01 647 3800 E: info@irishrugby.ie WEB: www.irishrugby.ie

- ➔ **Club contacts by province:** www.irishrugby.ie/club/club_contacts.php
- **IFRU Safeguarding Policy for Age-Grade Rugby:** (www.irishrugby.ie/playingthegame/development/safeguarding/policy.php) provides roles, responsibilities and procedures to be used while working with children and young people.
- **Regulations of the IRFU:** (www.irishrugby.ie/downloads/IRFU_Regulations_.pdf) provides the outline disciplinary procedure that should be followed by clubs.

SPORTS ANTI-RACISM SPECIALIST ORGANISATIONS

FARE NETWORK

PO Box 72058, EC1P 1UH London, United Kingdom
T: +44 20 7253 6795 E: info@farenet.org WEB: www.farenet.org

The Fare Network is an international umbrella organisation with more than 150 members in nearly 40 European countries that brings together organisation individuals, informal groups and organisations aiming to combat inequality in football and uses the sport as a means for social change. Fare combats all forms of discrimination, including racism, far-right nationalism, sexism, trans- and homophobia and discrimination against disabled people.

- ➔ **Reporting abuse and discrimination in football:** www.farenet.org/get-involved/report-discrimination/
- ➔ **Incident reporting form:** www.farenet.org/get-involved/report-discrimination/incident-reporting-form/



3. REPORTING RACIST DISCRIMINATION

3.4.8. Sport

SHOW RACISM THE RED CARD IRELAND (SRRC)

Carmichael Centre for Voluntary Groups, North Brunswick Street, Dublin 7

T: 01 828 0018 **E:** info@theredcard.ie **WEB:** www.theredcard.ie

SRRC uses the profile of sport to educate against racism and supports programmes that encourage integration in sport.

SPORT AGAINST RACISM IRELAND (SARI)

135 Capel Street, Dublin 1

T: 01 873 5077 **E:** info@sari.ie **WEB:** www.sari.ie

SARI works across 60 different Sports Codes and uses the medium of sport to combat all forms of discrimination in society. Through its events, projects and programmes, it works for cultural integration and social inclusion of people on the island of Ireland within a human rights framework.





3.4.9. Pubs, hotels, clubs (including sport clubs) and licensed premises

There are two different pieces of legislation which can be used in racist discrimination cases in the context of pubs, hotels, clubs etc.:

- **Equal Status Acts 2000-2015²** cover clubs among the other services where discrimination is prohibited. Clubs both registered and non-registered to sell alcohol are not allowed to discriminate under any of the nine listed grounds (gender, civil status, family status, sexual orientation, religion, age, disability, race, and membership of the Traveller community), that concern the provision of goods and services available to the public, or a section of the public.
- **The Intoxicating Liquor Act, 2003⁵¹, section 19:** to fall under this Act, discrimination, as defined under the Equal Status Acts, must take place “on, or at the point of entry to” licensed premises that sells alcohol, such as pubs, nightclubs, hotels, some restaurants and others.

Which act to use and when to apply it depends on **the kind of premises** (if it has licence to sell alcohol or not) and **where the discrimination happened** (‘on, or at the point of entry to’ a premise or elsewhere).

NON-REGISTERED CLUBS

- **Non-registered clubs are clubs with no license to sell alcohol** and may include, but are not limited to, sports clubs, golf clubs, interest clubs etc.
- You can complain about a non-registered club which **discriminates** against you to the **WORKPLACE RELATIONS COMMISSION (WRC)** under Equal Status Acts. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure** ←



3. REPORTING RACIST DISCRIMINATION

3.4.9. Pubs, hotels, clubs (including sport clubs) and licensed premises

- Clubs such as sports clubs, golf clubs, interest clubs and so on are treated slightly differently under the Equal Status Acts in that discrimination is not completely banned.

✓ **A club is discriminating if:**

- Its regulations or practices discriminate against a member or a person applying for a membership; or
- A person involved in the club's management discriminates against a member or a person applying for a membership in relation to any aspect of club business i.e. it gives preference to an Irish person applying for membership over applicants from different countries.

✓ **It is not discrimination if a club:**

- **Is for a particular group of people** – for example, a gay club, a club for people with disabilities, a club for members of the Traveller community, and so on.
- **Sometimes only admits certain club members**, however it must offer the same or a similar benefit or privilege to its other members. For example, a golf club can run a men-only tournament, but it must organise a similar one for its women members.
- **Has different types of membership** that are not based on any discriminatory ground and its members are free to choose these, for example, full membership, half membership, off peak membership, and so on.
- **Makes a genuine effort to include people of a particular gender who may have been excluded in the past.** For example, a golf club may offer special rates for full membership for women.
- **Treats members of a particular gender, age, disability, nationality or national origin differently** regarding sporting facilities or events i.e. organise different competitions for different age groups.

REGISTERED CLUBS

- Registered clubs are **those with a license to sell alcohol** and registered under the **Registration of Clubs Act 1904 – 1999**.
- Complaints about discrimination that occur *'on, or at the point of entry to'* a premise that sells alcohol (when you are refused entry or when you ask for the service), should be brought to the **DISTRICT COURT** under the Intoxicating Liquor Act, 2003, section 19.

3. REPORTING RACIST DISCRIMINATION

3.4.9. Pubs, hotels, clubs (including sport clubs) and licensed premises



- If the discriminatory treatment happened **somewhere other than “on or at the point of entry to”** the premises that sells alcohol (i.e. online or by the phone while booking the service), then you must make your complaint to the **WORKPLACE RELATIONS COMMISSION (WRC)** under the Equality Acts. Similarly, if the discrimination took place at a part of premises that is not part of its licensed area (such as a leisure club or hotel rooms), the complaint should also be referred to the WRC. **The IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. *See: 3.2. WHERE TO REPORT DISCRIMINATION for contact details of both bodies and the complaint procedure* ←
- **Ordinary licensed premises, such as pubs**, are not clubs, however, claims of discrimination which occur on or at the point of entry to such premises are also dealt with by the **DISTRICT COURT** rather than by the Workplace Relations Commission.

MAKING A COMPLAINT TO A DISTRICT COURT

Any person, including the Irish Human Rights and Equality Commission, can apply to the **DISTRICT COURT** for a declaration that a club is discriminating.

DISTRICT COURT

For more information about the District Court contact:

Courts Service, 15-24 Phoenix Street North, Smithfield, Dublin 7

T: 01 888 6000 **WEB:** www.courts.ie

The District Court is the lowest court in the Irish court system organised on a regional basis. There are 23 District Court Districts, as well as the Dublin Metropolitan District. Each District is divided into District Court areas. The District Court is a court of local and limited jurisdiction, restricted as to which cases it can decide in both civil and criminal matters. A District Court cannot hear a case that has not been commenced in the correct District Court area. The case must be brought, heard and decided in the District Court area.

- ➔ **District Court procedures:** www.citizensinformation.ie/en/justice/civil_law/civil_summons_in_ireland.html



3. REPORTING RACIST DISCRIMINATION

3.4.9. Pubs, hotels, clubs (including sport clubs) and licensed premises



STEP 1: ISSUING NOTICE

- **Send a letter (claim notice) to the defendant** (person who caused the discrimination) including:
 - ✓ Describing what happened.
 - ✓ Asking them for a reason as to why they carried out the act and what they are prepared to do to address the problem.
 - ✓ Request for any record they have regarding the incident (such as a log book of incidents, CCTV footage) and for a copy of their equality policy.
- Usually a claim notice is prepared by the claimant's solicitor. It must be filed for issuing and the stamp duty paid at the District Court office.



STEP 2: SERVING NOTICE

- **If you do not receive a satisfactory response** you can instruct a solicitor to act on your behalf. This will involve costs. Apart from yourself only a solicitor or barrister can appear on your behalf in the District Court.
- **The claim notice must be served on the defendant either in person** at least 14 days before the date of the hearing **or by registered prepaid post** at least 21 days before the date for hearing.
- Remember to **check the exact name of the licensee** in the District Court Licensing Office as if you get the name wrong the case will fail.



STEP 3: THE HEARING

- After hearing representations from the applicant, and the club, the Court decides whether the club is a discriminating club. Either party can ask for a written decision.
- **Where a complaint of discrimination is upheld in favour of the Applicant**, the District Court can make one or more of the following orders:
 - ✓ **Compensation** for the effects of the prohibited conduct to be paid to the applicant by the licensee.
 - ✓ For the licensee to take a **course of action** specified in the order.

3. REPORTING RACIST DISCRIMINATION

3.4.9. Pubs, hotels, clubs (including sport clubs) and licensed premises



- ✓ **Temporary closure of the licensed premises** according to Intoxicating Liquor Act, 2003, section 9.
- If the club is found to be discriminating and it is the first order made against the club, the District Court can **suspend the clubs license to sell alcohol** for up to 30 days.
- The second time that the Court has made a finding of discrimination against the club, its **certificate of registration may not be renewed, and it can lose its license to sell alcohol**.
- The District Court is obliged under the **section 19** to provide a statement of reasons for its decision if requested by either party.

STEP 4: APPEAL

- The applicant or the club can **appeal** the decision of the District Court to the **CIRCUIT COURT** within 42 days after the decision of the District Court. The club can also make changes to its rules or membership and return to the District Court to see if it is still discriminating.
- Actions taken to the District Court and the Circuit Court will involve costs.

STEP 5: LICENSING COURT

- If you are unsuccessful or successful, **but nothing has changed** in your case at the District Court, you can **challenge the licence of the pub owner**. Every September there is a **licensing court** which issues pub licences. You can prepare a case in August and make the argument as to why their licence should not be renewed. In order to do this there is a standard form which you can get and lodge in the District Court Office which will then allow you to attend the court and put your case forward. There is no cost involved.





3. REPORTING RACIST DISCRIMINATION

3.4.10. Transport

3.4.10. Transport

ALL TRANSPORT PROVIDERS

→ DISCRIMINATION COMPLAINTS

- All public transport and travel services which operate in Ireland are covered by the Equal Status Acts 2000 – 2015. If you think that you have been discriminated against (treated less favourably than other people, because of who you are) you can make a complaint to the **WORKPLACE RELATIONS COMMISSION (WRC)**. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through the **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. **See: 3.2. WHERE TO REPORT DISCRIMINATION** for contact details of both bodies and the complaint procedure ←

→ MAKING A COMPLAINT AGAINST TRANSPORT OPERATORS

Please note that the procedure below is a general complaints procedure and is not specific to racist incidents. But it can be used for addressing racist incidents on public transport.

- If you feel that your **passenger rights** have been infringed, you must submit your complaint directly to **THE OPERATOR/ CARRIER** in the first instance (see contacts to relevant operators below in this section).
- If you have already made a complaint to the operator and are not satisfied with the outcome, use the online **Passenger Rights form** on the **TRANSPORT FOR IRELAND** website to submit your complaint to the **NATIONAL TRANSPORT AUTHORITY**. You can report bus, train, tram, plane and water transport providers.

The **NATIONAL TRANSPORT AUTHORITY (NTA)** AND **TRANSPORT FOR IRELAND (TFI)**

Dún Scéine, Harcourt Lane, Dublin 2

T: 01 879 8300 **E:** info@nationaltransport.ie **WEB:** www.transportforireland.ie (NTA); www.nationaltransport.ie (TFI)

The NTA is a statutory non-commercial body, which operates under the aegis of the Department of Transport, Tourism and Sport. The NTA is the transport authority for Greater Dublin and the public transport licensing agency for Ireland. The NTA developed the Transport for Ireland service as a “one stop shop” for public transport information.

3. REPORTING RACIST DISCRIMINATION

3.4.10. Transport



- ➔ **Complaints regarding all types of service providers can be made here:**

WEB: www.transportforireland.ie/help-and-contact/

In partnership with Transport for Ireland, the **IMMIGRANT COUNCIL OF IRELAND** runs an anti-racism campaign across buses, trams, trains and taxis.

➔ **WEB:** www.immigrantcouncil.ie

➔ REPORTING RACIST CRIME ON TRANSPORT

- If you have experienced **racist crime** on any form of transport, such as assault, verbal abuse, damage to property or dissemination of material that may have the potential to incite hatred, contact the **TRANSPORT PROVIDER** and your **LOCAL GARDA STATION** or **THE EMERGENCY SERVICES**. *See: 2. REPORTING RACIST CRIME for details on reporting racist crime* ➔
- ➔ **Directory of LOCAL GARDA STATIONS:** www.garda.ie/en/Contact-Us/Station-Directory/
- ➔ **THE EMERGENCY SERVICES:** **T:** 999 (from landlines) or 112 (from mobiles)

BUSES

BUS EIREANN

- If you would like to make a complaint you can write to the relevant **REGIONAL MANAGER**; names and addresses are available from the link below. Please include as much detail of your journey as possible, such as time and date of travel, bus number, your origin and destination etc.
- ➔ **List of Regional Managers:** **E:** info@buseireann.ie **WEB:** www.buseireann.ie
- If you are not satisfied with the reply from a Regional Manager, you may request a **BUSINESS DEVELOPMENT MANAGER** to review your complaint by writing to:
- ➔ **MANAGER, BUSINESS DEVELOPMENT**, Bus Éireann, Broadstone, Dublin 7

DUBLIN BUS

Customer Comment Desk, 59 Upper O'Connell Street, Dublin 1

T: 01 873 4222 **E:** customercomment@dublinbus.ie **WEB:** www.dublinbus.ie

If you have a complaint about a Dublin Bus service, you can complain by email, phone, letter or in person. Try to provide as much detail as possible, including the bus route number, its registration number, the date and time of travel, where you were leaving from and going to.



3. REPORTING RACIST DISCRIMINATION

3.4.10. Transport

PRIVATE BUS OPERATORS

- If you wish to make a complaint about a private bus operator, you should contact them directly.
 - ➔ **List of private bus providers:** www.transportforireland.ie/wp_super_faq/private-bus-operators/
- If you are not satisfied with the private operator's response or you have received none, you can write to the **NATIONAL TRANSPORT AUTHORITY** by filling the **online form** (Help and Contact, Bus Services section) and providing detailed information in relation to your journey.
 - ➔ **WEB:** www.transportforireland.ie/help-and-contact/

TRAINS AND TRAMS

IARNRÓD ÉIREANN – IRISH RAIL

Customer Contact Centre

LoCall: 1850 366 222 **T:** 01 836 6222 (outside Rep. of Ireland)

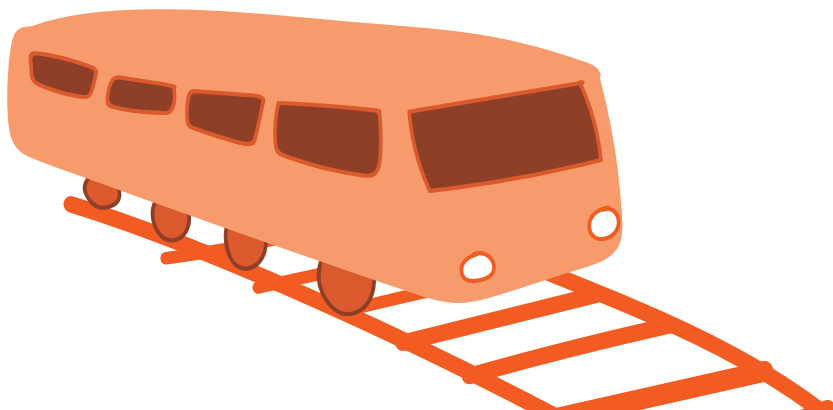
WEB: www.irishrail.ie/contact-us/customer-service-section; See: Online customer care and feedback form

Iarnród Éireann is split up into three separate divisions:

➔ DART

DART Customer Services, Iarnród Éireann, Pearse Station, Westland Row, Dublin 2
T: 01 703 3504

Complaints regarding all DART services should be made to DART Customer Service. This does not include commuter services within the DART area (see the Northern and Eastern).





→ Southern and Western

Customer Relations, Southern and Western, Iarnród Éireann, Heuston Station, Dublin 8

T: 01 703 4499

Complaints regarding all services to/from Heuston, except Waterford. This includes all local Cork, Limerick, Kerry, Galway and Mayo Intercity routes and Kildare line services as well as Limerick - Waterford.

→ Northern and Eastern

Customer Services, Northern and Eastern, Iarnród Éireann, Connolly Station, Amiens Street, Dublin 1

T: 01 703 2601

Complaints regarding all services to/from Connolly station, including all suburban services, the Enterprise service to Belfast as well as the Dublin - Waterford and Waterford - Rosslare lines.

RAIL USERS IRELAND

E: info@railusers.ie WEB: www.railusers.ie/passenger_info/complaints.php

If you do not get a response from Iarnród Éireann, you can contact Rail Users Ireland - Ireland's National Rail Users Organisation, who can assist you in your dealings with Irish Rail. Include your email address and they will email you back with any progress.

LUAS (LIGHT RAIL/ TRAM)

Luas Customer Care, Luas Depot, Red Cow, Clondalkin, Dublin 22, Freepost

T: 1850 300 604 or 01 461 4911 (Luas Customer Care) **Luas Text Service: 51444**

E: info@luas.ie WEB: www.luas.ie

→ **Online contact/complaint form:** www.luas.ie/contact-form.html

Safety-related incidents may be communicated to Luas by:

- ✓ **Luas Text Service** allows customers to discreetly report incidents of anti-social behaviour such as public intoxication, disorderly conduct, vandalism, or abusive or insulting behaviour on board a Luas tram or at a Luas stop. Text to **51444** and use the word 'LUAS' in your text.
- ✓ Pressing the button at the **Emergency Help Point (EHP)** located at every Luas Stop beside the ticket machine to speak with Luas Control.
- ✓ Pressing the button beside the tram door to speak to the **Luas tram driver**.



3. REPORTING RACIST DISCRIMINATION

3.4.10. Transport

TAXIS

Passengers

- If you are a **passenger** and you wish to make a complaint in relation to taxi services, you should contact the **TAXI COMPANY** where the incident happened.
- If you are not happy with an outcome, you can make online complaint through the **NATIONAL TRANSPORT AUTHORITY's TAXI Feedback Form**. Only matters that fall within the jurisdiction of the National Transport Authority can be investigated as outlined in the **Section 51 of the Taxi Regulation Act 2003⁵²**. These include complaints relating to the condition and cleanliness of the vehicle, the conduct or behaviour of a TAXI operator or driver, overcharging and other matters relating to fares and the hiring of the TAXI.

NATIONAL TRANSPORT AUTHORITY

Taxi Information Line: 0761 064 000 E: taxis@nationaltransport.ie

WEB: www.transportforireland.ie/taxi/taxi-compliments-complaints/

- **Complaints may be concluded in one of 4 following ways.** These are:
 - ✓ No further action is taken.
 - ✓ Advice is given to the operator.
 - ✓ A formal warning is issued.
 - ✓ The complaint proceeds to prosecution in court.
- Action will only be taken against an individual where there is enough evidence. Complaints cannot be proceeded anonymously, therefore you should be prepared to attend court (if necessary) to give evidence in relation to the incident.
- If the matter to which your complaint relates is of a **criminal nature** or you have witnessed a road traffic offence, you should contact **AN GARDA SÍOCHÁNA**.

See: 2. REPORTING RACIST CRIME ←

Taxi drivers

If you are a **taxi driver** who has been a subject of racism, you can seek advice from the **IMMIGRANT COUNCIL OF IRELAND**: WEB: www.immigrantcouncil.ie.

If you think that you have been **discriminated against by your Taxi Company or employer** (treated less favourably than other people, because of who you are) you can make a complaint to the **WORKPLACE RELATIONS COMMISSION**.

See: 3.2. WHERE TO REPORT DISCRIMINATION? ←

3. REPORTING RACIST DISCRIMINATION

3.4.10. Transport



If you experienced **racist crime** while working as a taxi driver, such as assault, verbal abuse, damage to property or dissemination of material that may have the potential to incite hatred, contact your **LOCAL GARDA STATION** or **THE EMERGENCY SERVICES**. [See: 2. REPORTING RACIST CRIME](#) ←

- **Directory of LOCAL GARDA STATIONS:** www.garda.ie/en/Contact-Us/Station-Directory/
- **THE EMERGENCY SERVICES T:** 999 (from landlines) or 112 (from mobiles)



PART II

4.

REPORTING RACISM IN THE MEDIA AND ONLINE





4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.1. Racism in the traditional media

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.1. Racism in the traditional media

You can address racism in the media, including material which appears in circulars, manifestos, articles, advertisements or broadcasts in the national regional or local media, from the bodies below.

4.1.1. TV and radio

THE BROADCASTING AUTHORITY OF IRELAND (BAI)

Complaints Officer, Broadcasting Authority of Ireland, 2-5 Warrington Place, Dublin 2

T: 01 644 1200 E: complaints@bai.ie or info@bai.ie (general information)

WEB: www.bai.ie

- ✓ **Guide for Complainants:** www.bai.ie/en/download/130377/
- ✓ **BAI Codes and Standards:** www.bai.ie/en/codes-standards/

The BAI is the regulator of broadcasting in Ireland. The BAI implements broadcasting codes and standards and supports Irish audiences to hold broadcasters to account by dealing with complaints concerning radio and television broadcasters licensed in Ireland. If you are unhappy with broadcasting content, including advertisements, you may complain to the BAI.

MAKING A COMPLAINT ABOUT TV AND RADIO



STEP 1 COMPLAINT TO THE BROADCASTER.

- All broadcasters in Ireland must ensure that their output is compliant with the law and with **the BAI's Codes and Standards**. If you think content you saw or heard on Irish radio or TV, in the last 30 days, was not compliant with BAI codes and rules you should complain directly to the **RELEVANT BROADCASTER** first.

➔ **Contact details of Irish licensed TV and radio stations:**
www.bai.ie/en/broadcasters/

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.1. Racism in the traditional media



- If you continue to have trouble in accessing the broadcaster's complaints procedures, contact the [BAI](#).



STEP 2: COMPLAINT TO BAI.

- If you are not satisfied with the broadcaster's response, you can refer your complaint to the [BAI](#). To do so download and fill in the **Complaint Referral Form** (www.bai.ie/en/download/130305/) and send it to the [COMPLAINTS OFFICER](#) (see the BAI contact details above). This form should be sent to the BAI no later than 14 days after the date on which you received a response from the broadcaster or the date by which a response was due.
- How a complaint will be resolved will be decided by broadcasters on a case-by-case basis. This may entail an apology, correction, clarification and/or the offer of a rebuttal.
- You can contact the BAI if you have any queries regarding the complaint handling process.

4.1.2. Press

THE PRESS COUNCIL OF IRELAND AND THE OFFICE OF THE PRESS OMBUDSMAN

3 Westland Square, Pearse Street, Dublin 2

T: 01 648 9130 **Lo Call:** 1890 208 080 E: info@pressombudsman.ie

WEB: www.pressombudsman.ie

➔ **Complaints procedure:** www.presscouncil.ie/making-a-complaint and www.pressombudsman.ie

The Office of the Press Ombudsman is a non-statutory office which deals with complaints from members of the public about articles in newspapers that are in breach of the Code of Practice for Newspapers and Periodicals.

MAKING A COMPLAINT ABOUT THE PRESS

You can make a complaint to the [OFFICE OF THE PRESS OMBUDSMAN](#) about any article that you find offensive or personally affects you and has been published by a member publication of the Press Council of Ireland, if you think that it breaches the



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.1. Racism in the traditional media

Code of Practice. A list of member publications is available on the Council's website.

- **You can complain about:**

- ✓ A daily and Sunday newspapers published in Ireland;
- ✓ Most regional newspapers;
- ✓ Many of Irish-published magazines;
- ✓ Some online news publications;
- ✓ The associated digital outlets of member publications (i.e. their Twitter, ✓ Facebook, Instagram etc. accounts);
- ✓ The behaviour of journalists, if you feel that their behaviour involves a breach of the Code of Practice.

- **Complaint procedure:**

- ✓ You must first complain to the [EDITOR OF THE NEWSPAPER](#).
- ✓ If you are not satisfied with the response, you may complain to the [PRESS OMBUDSMAN](#) within 3 months of publication of the article or of the behaviour of a journalist taking place.
- ✓ You may appeal the Press Ombudsman's decision to the [PRESS COUNCIL](#).

4.1.3. Advertising

If you come across a racist and/or discriminatory advertising, you can bring it to the attention of and make a complaint to [the ADVERTISING STANDARDS AUTHORITY FOR IRELAND](#) or/and [the IRISH HUMAN RIGHTS AND EQUALITY COMMISSION \(IHREC\)](#).

THE ADVERTISING STANDARDS AUTHORITY FOR IRELAND (ASAI)

7 Herbert Street, Dublin 2

T: 01 613 7040 E: standards@asai.ie WEB: www.asai.ie

ASAI is the independent self-regulatory body set up and financed by the advertising industry and committed, in the public interest, to promoting the highest standards of marketing communications, such as advertising, promotional marketing and direct marketing. It enforces the Codes of Advertising Standards and of Sales Promotion Practice, under which all advertisements should be "legal, decent, honest and truthful".

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.1. Racism in the traditional media



- If you have a complaint about the content of an advertisement or a promotion you should fill out an **Online Complaint Form** on the ASAI website. This form can be also submitted by email or printed out and sent by post.

THE IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)

16-22 Green Street, Dublin 7

T: 01 858 3000 (Your Rights Service) or 01 858 9601 (general queries)

Lo Call: 1890 245 545 E: YourRights@ihrec.ie WEB: www.ihrec.ie

➔ **Report discrimination in advertising:** www.ihrec.ie/your-rights/report-inequality-advertising/

- IHREC is the relevant body to contact in relation to alleged discriminatory advertising. It is illegal under the **Equal Status Acts 2000 – 2015** to publish or display an advertisement related to goods and services that indicate that certain people or groups would be treated less favourably, include words or images which appear to show that certain people or groups are not welcome or are inferior to others.
- If you have come across an advertisement that you believe discriminates against people under any of the protected grounds under the Equal Status Acts (including gender, civil status, family status, sexual orientation, religion, age, 'race', membership of the Traveller community, people in receipt of housing assistance), you can report it to IHREC via their **Discrimination in advertising reporting form available on their website** (see above). They can make a complaint to the **WORKPLACE RELATIONS COMMISSION** or contact the advertiser directly in response to discriminatory advertising.





4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

4.2. Racism and hate speech online

Online racist hate speech and cyber-bullying is a growing problem in Ireland and globally. Hate speech pervades the Internet and causes a great deal of harm to targeted groups and individuals. It can poison debates, deepen divisions in our society, fuel prejudice and hatred and even pave the way for real-world violence. To help combat it we encourage all internet and social media users to report online racism both to [iREPORT.IE](https://www.iReport.ie) and directly to the relevant [SOCIAL MEDIA PROVIDER](#). Otherwise no one will know that it happened, the abusive content will be left online and the problem can't be addressed. Ignoring online hate may lead to its normalisation and send a message that racism is accepted in our society.

Below you can find information on the anti-hate speech legislation, guidelines where the online racism can be reported and how to deal with it.

4.2.1. Online hate speech and the law

WHAT IS THE DEFINITION OF RACIST HATE SPEECH?

Hate speech, as defined by the Committee of Ministers of the Council of Europe, covers “all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin”⁵³

It's important to note that defining and classifying hate speech can be difficult and depends on the content and tone of the expression, the intent of the author of that expression, the context, who the target is and the impact on the targeted person or group.

THERE IS NO EFFECTIVE HATE SPEECH LEGISLATION IN IRELAND

Ireland has no dedicated legislation addressing hate speech online, apart from the very restricted and outdated **Prohibition of Incitement to Hatred Act 1989**. The 1989 Act, which has been “under review” since 2000, narrowly deals with cases of hate speech which are deemed to incite hatred and makes it an offence to create or distribute racist, homophobic or other discriminatory materials. However, it's important to remember, that **what is illegal offline is also illegal online**.

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online



- GARDAÍ can investigate and prosecute hate crimes using existing **criminal law**. The PULSE system allows Gardaí to record and track the bias motive. [See: 2.2 REPORTING RACIST CRIME.](#) ←
- You can complain to the **WORKPLACE RELATIONS COMMISSION (WRC)** if you feel you were discriminated against by a service provider or employer while accessing their service online, based on any of the nine grounds listed in the equality legislation. The complaint should be made against the company behind the website and not the website itself. The **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION (IHREC)** through their **YOUR RIGHTS SERVICE** provides information on your rights and the remedies available to you under equality and human rights law in Ireland and may support you with bringing a discrimination claim to the WRC. [See: 3. REPORTING RACIST DISCRIMINATION.](#) ←

THE EUROPEAN UNION LAW AND HATE SPEECH ONLINE

- **The Framework Decision on Combating Racism and Xenophobia by means of criminal law**⁵⁴ requires Member States to criminalise the public incitement to violence or hatred directed against a group of persons or a member of such a group based on certain characteristics, including race, colour, religion, descent or national or ethnic origin. This is the **legal basis for defining illegal online content**.
- **The Code of Conduct on countering illegal hate speech online**⁵⁵: Since May 2016, Facebook, Twitter, YouTube and Microsoft, followed by Google+ and Instagram in January 2018, have committed to combating the spread of illegal online hate speech in Europe through a voluntary Code of Conduct.
 - ✓ The companies have committed to reviewing the majority of request to remove content in less than 24 hours and to removing the content if necessary. Assessing what could be illegal hate speech includes taking into account criteria such as the purpose and context of the expression.
 - ✓ IT companies have to act in line with national laws, in particular those transposing the Framework Decision on combating racism and xenophobia and the 2000 e-commerce Directive⁵⁶. When they receive a valid alert about content allegedly containing illegal hate speech, the IT companies have to assess it, not only against their own rules and community guidelines, but, where necessary, against applicable national law (including that implementing EU law), which fully complies with the principle of freedom of expression.



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

- The Code of Conduct is based on cooperation involving the European Commission, IT platforms, civil society organisations and national authorities who meet regularly under the umbrella of the **High Level Group on Combating Racism, Xenophobia and Other Forms of Intolerance**.
 - In order to ensure the effective reporting of the progress in the implementation of the Code to the High Level Group, the European Commission established a new **sub-group dedicated to countering hate speech online**. The sub-group brings together the relevant actors from the private sector as well as from international, European, national and local level who have a direct role in combating and preventing hate speech online.
- ➔ **More on the European Commission work on Combating illegal hate speech online** can be found on their dedicated webpage: https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=54300

ENAR IRELAND AS A TRUSTED FLAGGER

- **Trusted Flagger** to the IT companies refers to the authorised reporter status given to certain expert civil society organisations which allows them to report illegal content through a special reporting system or channel, not available to normal users.
- **ENAR Ireland is the only Irish representative and Trusted Flagger on the sub-group** made up of 33 civil society organisations and 2 national authorities from 27 States (all except Luxembourg).
- We have the Trusted Flagger status with **Facebook, Twitter, YouTube, Instagram and Google+**.
- The Commission evaluates and ensures the implementation of the above-mentioned Code of Conduct by the IT Companies with the help of expert civil society organisations with the Trusted Flagger status via regular **monitoring exercises**.

REPORTING SERIOUS RACIST CONTENT ON SOCIAL MEDIA VIA TRUSTED FLAGGER CHANNELS

ENAR Ireland's Trusted Flagger status can be utilised by its Members and the general public to help address serious cases of online hate speech.

- If you reported a serious/illegal case of online hate speech directly to the social media platform, but it has not been removed, you can escalate this report with ENAR IRELAND.

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online



- To do so, send us a **direct link** to the content (you can get it by clicking the date of the post or comment) **together with a screenshot of that content** via Facebook message or by emailing it to info@enarireland.org. Please note that without the link we will not be able to process the complaint.
- If we believe the reported content meets the criteria of serious hate speech and breaches the guidelines of the social media platform in question, we will report the content directly to that platform through specific channels available only to Trusted Flaggers.

4.2.2. Online hate speech

THE OFFICE FOR INTERNET SAFETY AND HOTLINE.IE

Department of Justice and Equality, 51 St. Stephen's Green, Dublin 2

T: 01 602 8258 **LoCall:** 1890 610 710 **E:** internetsafety@justice.ie

WEB: www.internetsafety.ie and www.hotline.ie

Report suspected illegal material at: www.hotline.ie/makeareport.php

The Office for Internet Safety is an executive office of the Department of Justice, Equality and Law Reform with responsibility for internet safety. Hotline.ie is a confidential service to report anonymously suspected illegal material encountered on the internet. Hotline is run by the Internet Service Providers Association of Ireland (ISPAI) and supervised by the Office for Internet Safety (OIS), in cooperation with An Garda Síochána. Hotline is a part of INHOPE, the European network of hotlines (see below).

- The primary focus of Hotline is to combat child pornography by accepting and investigating reports from the public. However, other forms of illegal content and activities, such as racism, xenophobia or incitement to hatred on the Internet, may also be reported using this service.
- When Hotline.ie assesses reported material as illegal under Irish law, the location of the content is then traced, and if found to be hosted or distributed from Ireland, An Garda Síochána and the relevant ISPAI member are notified, so the material can be removed from public Internet access and law enforcement investigation may be initiated.



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

- You can report to www.Hotline.ie suspected illegal content encountered when using any of the following services:
 - ✓ Websites
 - ✓ Sites or mobile WAP
 - ✓ Unsolicited, offensive email
 - ✓ Bulletin boards
 - ✓ Online forums
 - ✓ Peer-to-peer file sharing networks
 - ✓ Blogs
 - ✓ Social networking sites
 - ✓ Online chat rooms or instant messaging
- Hotline.ie only deals with reports referring to suspected illegal content encountered on the internet. Urgent situations where persons may be in immediate danger should always be reported directly to An Garda Síochána.

THE INTERNET HOTLINE PROVIDERS IN EUROPE ASSOCIATION (INHOPE)

WEB: www.inhope.org

INHOPE facilitates the work of European hotlines in responding to illegal use and content on the internet. If reported material is found to be hosted outside of Ireland, details of the illegal content are forwarded via the INHOPE hotline. Each report to a hotline will be investigated in depth and judged against the legislation of the country where the content is hosted.

➔ **Report suspected illegal online hate sites:** www.inhope.org/gns/report-here.aspx

NO HATE SPEECH MOVEMENT IRELAND

See: 3.4.6. EDUCATION: A. PRIMARY & SECONDARY SCHOOLS ←

➔ **Report hate speech here:** www.nohatespeechmovement.org/hate-speech-watch/report/submit

This is an online database to monitor, share and discuss hate speech content on the Internet, where you can link in any hate speech content from the Internet. It is a youth campaign of the Council of Europe for human rights online, to reduce the levels of acceptance of hate speech and to develop online youth participation and citizenship, including in Internet governance processes.

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online



- ➔ **WE CAN! Taking Action against Hate Speech through Counter and Alternative Narratives** manual offers guidance to develop counter and alternative narratives to combat hate speech and promote human rights, especially in online environments. Available here: <https://rm.coe.int/wecan-eng-final-23052017-web/168071ba08>

RACIST SYMBOLS AND MANIFESTATIONS

THE LIGHT ON PROJECT

WEB: www.lighton-project.eu

- ➔ **Online reporting tool:** www.lighton-project.eu/site/main/page/act-en(once on the page, scroll down to the Hate Speech Online section to access the reporting tool).

The Light On Project is a cross-community action for combating the modern symbolism and languages of racism and discrimination. The general objective of the project is to contribute to the development of a culture that denounces racism, underlines its social danger to society, and promotes an active role of individuals in combating racism, xenophobia and related forms of intolerance.

With regard to symbols and manifestation studied by the LIGHT ON consortium, everyone is welcome to submit an image considered racist or one that can hide a discriminatory feature. Experts will review it and provide feedback explaining the image's danger to society and the potentially negative effect.

4.2.3. Racism on social media

Social media, mainstream media websites, Internet Service Providers and blogs have their own definitions and rules about what is a prohibited form of hate speech on their platforms. Each social media site has Terms of Service or/and Community Guidelines with information on what content is and is not allowed, how and where to report violations of those terms, including hate speech and racism online. Information on actions the provider may take to address your complaint are also included there. Unfortunately, not all providers refer specifically to racism and there's no guarantee that the abusive website will be taken down or content removed and/or the user responsible for the alleged violation blocked. Nevertheless, we encourage all social media users to report online racist hate speech to prevent its normalisation and help keep our online sphere free from racism.



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

➔ ILLEGAL CONTENT ON SOCIAL MEDIA

- If you believe that you or someone you know may be in danger, please contact [AN GARDÁ SIOCHÁNA](#) in the first instance.
- [HOTLINE.IE](#) is a confidential service to report anonymously suspected illegal material encountered on the internet. [See: 4.2.2. ONLINE HATE SPEECH](#) ←
- You should also report the content to a [RELEVANT SOCIAL MEDIA PLATFORM](#) and [WWW.IREPORT.IE](#), so that the situation can be addressed both online and offline and the incident is recorded.

➔ RACIST CONTENT ON SOCIAL MEDIA

The table below contains links to community rules of each popular social media platforms, websites and apps as well as their reporting guidelines and online safety information. Because of the enormous volume of content, companies typically rely on users to bring problems to their attention and we encourage everyone to report racism they see online both directly to the provider and iReport.ie.

REPORTING SERIOUS RACIST CONTENT ON SOCIAL MEDIA VIA TRUSTED FLAGGER CHANNELS

ENAR Ireland is the only Irish organisation with a Trusted Flagger status with Facebook, Twitter, YouTube, Instagram and Google+. This status can be utilised by our Members and the general public to help remove serious cases of hate speech from the social media platforms. [See: 4.2.1. ONLINE HATE SPEECH AND THE LAW](#) for details. ←



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online



ONLINE PLATFORM	RULES	REPORTING	SAFETY INFORMATION
Facebook	Facebook Community Standards www.facebook.com/communitystandards	Reporting abusive content www.facebook.com/help/181495968648557/ Reporting a violation of the Facebook Terms www.facebook.com/help/contact/?id=274459462613911	Tools for addressing abuse www.facebook.com/help/359033794168099/ Controversial, harmful and hateful speech on Facebook www.facebook.com/notes/facebook-safety/controversial-harmful-and-hateful-speech-on-facebook/574430655911054
Twitter	Rules (incl. abusive behaviour) https://support.twitter.com/articles/18311-the-twitter-rules Terms of Service: https://twitter.com/en/tos	Reporting violation https://support.twitter.com/articles/15789# Reporting abusive user https://support.twitter.com/forms/abusiveuser	Dealing with online abuse https://support.twitter.com/articles/15794
Instagram	Terms http://instagram.com/about/legal/terms/ Community Guidelines: https://help.instagram.com/477434105621119/	Reporting guidelines https://help.instagram.com/165828726894770 Reporting harassment or bullying https://help.instagram.com/547601325292351 Bullying & Harassment Reporting form: https://help.instagram.com/contact/584460464982589	How to address abuse https://help.instagram.com/527320407282978/
LinkedIn	LinkedIn Professional Community Guidelines: http://help.linkedin.com/app/answers/detail/a_id/34593	Reporting Inappropriate Content, Messages, or Safety Concerns: https://safety.linkedin.com/identifying-abuse	Safety Centre: https://safety.linkedin.com/staying-safe
Google+	Terms & Policies: http://www.google.com/intl/en/%2B/policy/content.html	Reporting spam, abuse, or inappropriate content: https://support.google.com/plus/answer/1253377?hl=en	Combating online hate speech: http://googlepublicpolicy.blogspot.ie/2014/09/fighting-online-hate-speech.html Google Safety Centre (for all Google products): http://www.google.com/safetycenter/tools/
YouTube	Community Guidelines: www.youtube.com/t/community_guidelines Policy: https://support.google.com/youtube/topic/2803176?hl=en&ref_topic=2676378	Reporting Centre: https://support.google.com/youtube/topic/2803138?hl=en&ref_topic=2676378 Reporting hateful content & reporting form: https://support.google.com/youtube/answer/2801939?hl=en&rd=1	Safety Centre: www.youtube.com/yt/policyandsafety/



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

ONLINE PLATFORM	RULES	REPORTING	SAFETY INFORMATION
Blogger	<p>Content policy: www.blogger.com/content.g?hl=en-GB</p> <p>Terms of Service and security: https://support.google.com/blogger/topic/1697705?hl=en&ref_topic=3339302</p>	<p>Report inappropriate content: https://support.google.com/blogger/answer/76315?hl=en&ref_topic=3339302</p>	
Wordpress .com	<p>Complaints: https://wordpress.com/complaints/</p>	<p>Reporting a site: http://en.support.wordpress.com/report-blogs/</p> <p>Abuse reporting form: https://wordpress.com/abuse/</p>	<p>Dispute Resolution & Reporting: http://en.support.wordpress.com/disputes/</p>
Reddit	<p>User agreement: www.reddit.com/help/useragreement</p>	<p>Contact details: www.reddit.com/contact</p>	<p>'Reddiquette' - an informal expression of the values of redditors: www.reddit.com/wiki/reddiquette</p>
Tumblr	<p>Community Guidelines: www.tumblr.com/policy/en/community</p> <p>Terms of Service: www.tumblr.com/policy/en/terms-of-service</p>	<p>Reporting a problem: www.tumblr.com/support</p> <p>Reporting hateful content: www.tumblr.com/abuse</p> <p>Users can email: abuse@tumblr.com</p>	<p>http://en.wikipedia.org/wiki/Tumblr</p>
MySpace	<p>Service Terms of Use: https://myspace.com/pages/terms</p>	<p>Blocking and reporting: https://help.myspace.com/hc/en-us/sections/200507204-Blocking-Reporting-</p>	<p>Guidelines and Safety: https://help.myspace.com/hc/en-us/articles/202579130-Myspace-Guidelines</p>
Pinterest	<p>Content policies: https://help.pinterest.com/en/articles/content-policies</p>	<p>Reporting: https://help.pinterest.com/en/articles/report-something-pinterest#Web</p> <p>Report harassment and cyber-bullying: https://help.pinterest.com/en/article/report-harassment-and-cyberbullying</p>	
Vimeo	<p>Community Guidelines: http://vimeo.com/help/guidelines</p>	<p>Reporting abuse & violations: http://vimeo.com/help/faq/watching-videos/reporting-abuse-and-violations#how-doesvimeo-define-hateful-harassing-defamatoryand-discriminatory-content</p>	

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online



ONLINE PLATFORM	RULES	REPORTING	SAFETY INFORMATION
Snapchat	Community Guidelines: https://support.snapchat.com/en-US/a/guidelines	Reporting a safety concern: https://support.snapchat.com/en-US/i-need-help	Policies & safety: https://support.snapchat.com/en-US SpunOut.ie Twitter Safety Factsheet: https://spunout.ie/life/article/twitter-safety-factsheet
WhatsApp	Terms of Service: www.whatsapp.com/legal/	Users can email: support@whatsapp.com	Staying Safe on WhatsApp: https://faq.whatsapp.com/en/android/21197244?category=5245250
Viber	Terms & Policies: www.viber.com/terms	Support: https://support.viber.com/	
All social media	Online Safety Hub developed by SpunOut.ie provides easy guides to online privacy, safety and security across various apps, devices and online platforms: http://spunout.ie/online-safety		

The above table is partially adapted from *SPOT Racism Online: A Practical Guide* developed by the Light On Project⁵⁷. The Guide also provides detailed information on **how to record and report racism online**.



Report all racist incidents to www.iReport.ie



4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

4.2.4. Cyber-bullying

We live in a constantly evolving digital era where technology changes faster than laws regulating it. The online space has become an easy breeding ground for racist trolls and bullies. Therefore, it's important to **be aware how stay safe online, protect one's privacy and what to do when we or someone we know** becomes a target of online cyber-bullying.

WHAT IS CYBER-BULLYING?

[TACKLEBULLYING.IE](https://tacklebullying.ie), the anti-bullying website developed by the [NATIONAL ANTI-BULLYING RESEARCH AND RESOURCE CENTRE \(ABC\)](https://nationalanti-bullyingresearchandresourcecentre.ie) at Dublin City University defines **cyber-bullying** as 'an aggressive, intentional act that is carried out by one or several people, using electronic devices against a victim who cannot easily defend him or herself. Some methods of cyber-bullying include phone calls, text messages, emails, instant messaging using text, picture or video and on social networks such as Facebook, Twitter, Instagram, etc'.

HOW TO DEAL WITH CYBER-BULLYING?⁵⁸

SpunOut.ie in its *Cyber-bullying: what to do if you're being bullied online* article provides a set of useful tips on tackling cyber-bullying:

- **Don't add people you don't know** to your list of online friends. Be wary of strangers online.
- **Don't reply to abusive messages**, as it can only make the situation worse. Bullies want to know that they achieved their goal by getting you worried and upset, which will only encourage them to continue.
- **Ask for the content to be removed.** If you're concerned about content uploaded online that you are identified in, ask the person who posted it to remove it. If you don't feel comfortable doing so or this does not work, contact the social media provider (Facebook, Twitter etc.) where the image or video has been uploaded and ask them to delete it. [See: 4.2.3. RACISM ON SOCIAL MEDIA for useful social platforms links.](#) ←
- **Save the evidence**, take a screenshot(s) of messages, links to abusive content, emails, images etc. to keep the record and to have a proof of bullying.

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online



- **Check and update your privacy settings** so that your social media and apps are secure and only accessed by people you know. Change your passwords, email, number, contacts details and make sure your privacy settings are restricted on all websites. Keep those details secure.
- **Block and report the bully to the relevant technology provider** such as your mobile phone company, web host, website owner or social media platform. Each of them usually has rules describing advice about what you can do and how to report to the network provider. [See: 4.2.2. RACISM ON SOCIAL MEDIA for useful social platforms safety links](#) This will prevent bully from contacting you and from seeing your updates and content you post in the future.
- **Look for help and talk about your concerns** with a trusted person, such as a member of your family or friend, or in case of young people, your parent, teacher, health professional, a youth worker or contact a free confidential support service [See: PART III: SUPPORTING VICTIMS OF RACISM: 3.4. EMOTIONAL SUPPORT.](#) If the bullying is linked with school, it's important to let them know about it as they have a responsibility to address it in accordance with the school's anti-bullying policy. Although cyber-bullying uses technology, the way and procedures to support children being bullied is the same regardless of the type of bullying that is happening. [See: 3.4.6. EDUCATION: A. PRIMARY AND SECONDARY SCHOOLS for information on bullying/cyber bullying in schools.](#)
- **Report it.** Log a report of racist bullying to [iREPORT.IE](http://iREPORT.ie). In serious or persistent cases, where you suspect that the crime has been committed or someone is in danger, report the bullying to [GARDAí](#) or in case of young people, do so through parents.





4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

USEFUL RESOURCES ADDRESSING BULLYING AND CYBER-BULLYING

- **BARNARDOS** developed useful resource pages on bullying and cyber-bullying on their website (**WEB:** www.barnardos.ie/cyberbullying). They provide Internet Safety and Cyber-bullying courses for students, teachers and parents.
- **CYBER-BULLYING RESEARCH CENTER** (**WEB:** <http://cyberbullying.us/resources/>) is a US-based centre that provides resources for parents, educators, law enforcement officers, counsellors, and others who work with youth, such as facts, figures, and detailed stories from those who have been directly impacted by online aggression. In addition, the site includes numerous resources to help you prevent and respond to cyber-bullying incidents.
- **CYBERSAFEIRELAND.ORG** works to empower children, parents and teachers to navigate the online world in a safe and responsible manner.
- **FACEBOOK BULLYING PREVENTION HUB** provides resources and tips that help teens, parents and educators deal with bullying behaviour and its consequences. **WEB:** www.facebook.com/safety/bullying
- **ISPCC'S SHIELD PROGRAMME** provide schools with an effective resource to tackle bullying and provide young people with the necessary coping skills to deal with and protect themselves from bullying. **WEB:** www.ispcc.ie/shield-anti-bullying-programme
- **NATIONAL ANTI-BULLYING RESEARCH AND RESOURCE CENTRE (ABC) AT DUBLIN CITY UNIVERSITY** provides information, support and advice for students, teachers and parents on how to recognise and deal with bullying behaviour and allows teenagers to share experiences with their peers online. ABC leads the field of research, resource development and training in bullying in Ireland and is an internationally recognised centre of excellence in bullying research. They developed a national anti-bullying website **TACKLEBULLYING.IE** with information and resources on bullying. **WEB:** www.dcu.ie/abc/ and www.tacklebullying.ie
- **NATIONAL YOUTH COUNCIL OF IRELAND** has developed Web Safety in Youth Work page with plenty of useful information on internet safety and dealing with cyber-bullying in the context of youth work and young people. **WEB:** <http://websafety.youth.ie/>
- **NO HATE SPEECH MOVEMENT IRELAND** **See: 3.4.6. EDUCATION: A. PRIMARY AND SECONDARY SCHOOLS** ➔

4. REPORTING RACISM IN THE MEDIA AND ONLINE

4.2. Racism and hate speech online

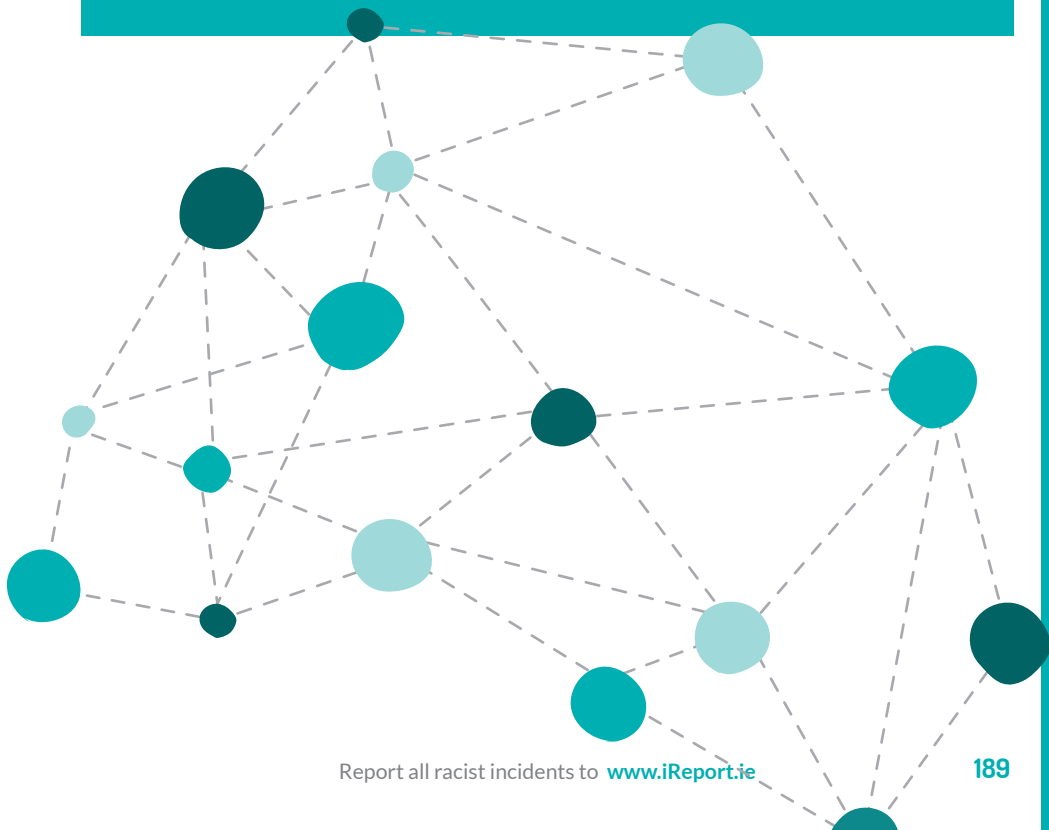


- **SPUNOUT.IE** is Ireland's youth information website created by young people, for young people. Among other information covering a range of different topics broken down into sections (education, employment, health, life and opinion) it provides useful advice on how to tackle bullying and cyber-bullying and stay safe online.
- **WATCHYOURSPACE.IE** is a website devoted to empowering and supporting young people as they act to address bullying, in particular cyber-bullying, in their local communities.
- **WEBWISE.IE** is an anti-bullying initiative which has launched several resources aimed at tackling cyber-bullying. For advice on cyber-bullying visit: www.webwise.ie/parents/cyberbullying-advice/

For more information on online safety, reporting and dealing with online hate speech and cyber-bullying on various social media platforms [see: 4.2.2. RACISM ON SOCIAL](#)

[MEDIA.](#) 

For information on how to deal with bullying at school [see: 3.4.6. EDUCATION](#) 



PART III

SUPPORTING VICTIMS OF RACISM





1. WITNESSING RACISM – WHAT TO DO AS A BYSTANDER

Witnessing public racist harassment, hate-motivated incidents or violence can be a disturbing experience. Witnesses may feel frozen, mute and unsure of how to react. Research shows there are two main reasons why people don't act in these situations: they may be either afraid of becoming a target themselves or they simply don't know what to say or do⁵⁹. Moreover, contrary to common expectations, larger numbers of bystanders decrease the likelihood that someone will step forward and help a victim⁶⁰. This happens due to the diffusion of responsibility: when onlookers see no reaction from the public, they believe others will know better how to help, and they feel uncertain about helping while others are watching.

We should, however, not give-in to the bystander effect: the sense that since no one else is doing anything, you might as well not, either. Ignorance or lack of reaction can be interpreted as acceptance by the perpetrators, the public and the victims. It can encourage a climate of violence as hateful behaviour can become normalised and accepted.

In order not to contribute to this normalising of hostility, bystanders need to be aware of how to stand up to racism and intervene at a time when people need it most, both on an individual and a community level. Intervening not only means reacting in the moment to a potentially violent situation, but also challenging and changing the cultural norms that make racism acceptable and make victims feel alone and isolated. Supporting someone who is being harassed can help demonstrate to others that they also have the power to make our communities safer.

1.1. Bystander intervention

There are many ways to support a person who is threatened or attacked in public because of their real or perceived race or any other identity. There is no standard or perfect reaction as the situations can differ depending on place, time and people involved. However, there are some general suggestions and tips you can follow while witnessing racism. Below we compiled a list of useful techniques, dos and don'ts, based on various models⁶¹⁻⁶²⁻⁶³ of bystander intervention. A single action, no matter how big or small, can change the situation and make a big difference for the victim.



WHAT IS BYSTANDER INTERVENTION?

Bystander intervention is when one person chooses to speak up, step in or engage others to help when witnessing potentially dangerous situations.

BYSTANDER INTERVENTION TIPS AND TECHNIQUES

- **Be prepared.** Whatever tactic you decide use, the key is to be prepared. Imagine a situation in which a person is threatened and how you would react and what you would like others to do if you were a victim. Decide on a strategy you think you would use to fit your identity and personality, as this can help you make decisions more quickly in a heated situation.
- **Act. Never ignore the situation.** Lack of action, either during or after the incident, communicates approval and leaves the victim isolated and unsupported. If you find yourself too nervous or afraid to speak out, move closer to the person being harassed to communicate your support with your body or eye contact.
- **Think safety first.** Keep your safety and the safety of others in mind and let that determine how you respond. Direct intervention usually may not be a good choice, as keeping your own safety intact should always be the priority. Assess your surroundings; check if there are others nearby who can provide support. Working in a team is a good idea, if it is possible.
- **Stay calm.** Don't engage in any kind of verbal abuse directly with the perpetrator, as this can make them aggressive and escalate the situation. Rather than shout at them that they're a racist, quietly ask them, 'Why would you say something like that?'. Never use violence such as physical force or weapons. There are other ways to attract attention like using your voice or a whistle, which may divert or stop the perpetrator for an instant.
- **Devote your attention to the victim.** Artist Marie-Shirine Yener developed a comic strip guide⁶⁴ to illustrate how to intervene if you see Islamophobic verbal harassment in public. The guide can be applied to any hate-fuelled public incident. The comic was inspired by a 'non-complementary behaviour'⁶⁵ psychological concept, meaning that if someone greets us with kindness, you are likely to respond the same way rather than responding with further aggression that could escalate the conflict.



1. WITNESSING RACISM – WHAT TO DO AS A BYSTANDER

The author suggests the following:

- ✓ **Focus directly and entirely on the targeted person.** Ignore the attacker and do not to interact with him or her in any way. You can sit down next to the targeted person, ask them to sit beside you, escort them to another carriage away from the attack or engage them in conversation etc. It will make the targeted person feel less vulnerable knowing they have got some support by their side.
- ✓ **Pick a random subject and start discussing it.** It can be anything not related to the situation: a movie you liked, the weather, saying you like something they wear etc. Try to appear calm, collected and welcoming.
- ✓ **Keep building the safe space. Keep eye contact with the victim and don't acknowledge the attacker's presence.** Eventually, the absence of response from you two will push them to leave the area, realising that they're not going to be acknowledged.
- ✓ **Continue the conversation until the attacker leaves.** Escort the targeted person to a safe place if necessary. Bring them to a neutral area where they can recollect themselves; respect their wishes if they tell you they're ok and just want to go.
- **Direct intervention** means confronting the harasser directly. This intervention technique is the riskiest as there is a possibility of escalation or the perpetrator redirecting their aggression towards you; therefore, it should always be approached with caution. Always assess the situation, evaluate your safety, and the aggressor. Ask the perpetrators to stop harassing the person or say, 'that's not ok', 'why are you saying that?'. Use non-aggressive, but strong tone. If one person reacts, others are likely to follow. Once people intervene, the perpetrators understand that their action sparks protest instead of indifference or even silent support.
- **Distract.** If you don't feel safe being direct, you can distract or interrupt the attacker. Distraction is an indirect approach to intervention that involves engaging with the person who's being harassed, not the aggressor, to de-escalate the situation. Distraction means making noise, swearing, talking loudly on your phone, 'accidentally' spilling a drink or doing anything that's designed to create commotion and attention. You can also ask a random question not related to situation i.e. about the time or directions. This can help to take the attention away from the harassment and is going to lead the conversation in a different direction.



- **Delegate and alert authorities.** If you don't feel safe, delegation is another technique you can use. It involves notifying a third party, usually an authority figure, who may be in better position to respond. On a public transport, contact a conductor or bus driver; in a shop or entertainment facility, a cashier or a manager, bar staff or security guard; in school, a teacher. You can ask such person to call the police or you can contact the Gardaí yourself. Whenever possible, communicate with the victim before calling in police as they might have had negative experiences in the past and may not want to report. In any circumstance, make sure that the victim is safe before doing anything else and then check to see what they're most comfortable with.
- **Engage peers:** Try approaching other people and ask them to also the victim with you. It is helpful to address other bystanders directly and individually i.e. using words 'Excuse me, you in the red jumper, can you help?'. Individual approaches make people more likely to help as it minimises the diffusion of responsibility.
- **Make your presence as a witness known.** If you are too scared to say something, if possible, make eye contact with the person being harassed and ask them if they want support. You can move yourself near the person being harassed or if it's safe doing so, create distance or a barrier between the person being harassed and the attacker.
- **Document the incident.** Taking photos or filming the incident on your phone and giving the footage to the police can be useful because the targeted person can then use the footage as evidence and confirm their statement with the police or WRC. It can also be used to raise awareness on racism in our society. In some cases, filming the attack can even stop a perpetrator. Keep a safe distance and take video of landmarks such as street signs, bus numbers, and save the date and time. Don't put the video online without the permission of the harassed person. It could cause a lot of harm. Being harassed or attacked is already a disempowering, traumatising experience. Using an image or footage of a person being victimised without their consent can make the person feel even more powerless. If the documentation goes viral, it can lead to further victimization and an unwanted level of exposure.
- **Delay.** Intervention doesn't always need to happen while someone is being harassed. It can take a place after the incident. Check if the harassed person is ok and if they need anything else. Try offering a concrete help: a glass of water, assistance with getting composed, contacting a friend or finding transport home. If the person was injured as a result of an attack support them in finding the nearest doctor, or, if trained, provide First Aid. Do not call the police if the victim didn't ask for it.



1. WITNESSING RACISM – WHAT TO DO AS A BYSTANDER

- **Act as a witness to support the police with their investigation.** If the Gardaí were called for, provide them with a description of the perpetrators' escape route, face, physique, clothes, sex, age and any other noticeable features. You can exchange contact details with other witnesses. Having a collective report will make for a stronger case against the perpetrator and can help police with their investigation.
- **Report what you witnessed to iReport.ie.** Tell the victim about it, but don't presume that the victim will make a report. This will ensure that there is a record of the incident, help us understand the scope of racism in Ireland and support devising relevant actions to address it. Remember, unreported racism stays invisible. *See: 1.2. iReport.ie – online racist incident reporting system.* ←





2. RESPONDING TO RACISM IN A COMMUNITY

Witnessing racism in your neighbourhood or your community may be an overwhelming experience, where you may feel stuck, scared, angry and not knowing what to do nor how to support those affected. Hate-fuelled crimes and incidents are an attack on a community's health. Hate tears society apart along racial, ethnic, gender, and religious lines. Hate crimes, more than any other crime, can trigger community conflict, civil disturbances, and even riots. To prevent that, similarly as in a case of bystander intervention, we must recognise that all of us, either acting as concerned citizens or as members of community organisations, have power to stand up against racism. Every single act of anti-racism resistance can have a positive ripple effect on victims, our communities and the society.

HOW TO RESPOND TO RACISM IN A COMMUNITY

Southern Poverty Law Centre published an excellent guide '*Ten Ways to Fight Hate: A Community Response Guide*' (2017)⁶⁶ with recommendations and ideas on responding to racist hate on a community level. The advice below is adapted from that guide.

- **Act.** Do something. In the face of hatred, apathy will be interpreted as acceptance by the perpetrators, the public, and the victims. Community members must act, because if we don't, hate persists. Take seriously even the smallest hint of hate because racist slurs often escalate to harassment, harassment to threats, and threats to physical violence.

WHAT CAN YOU DO?

- ✓ Repair acts of hate-fuelled vandalism or damage to private property, such as racist graffiti.
- ✓ Consider donating to or volunteering with an organisation that works for civil rights or/ and with Ethnic Minorities.
- ✓ Host a neighbourhood or community meeting. Speak up in church. Suggest some action.



2. RESPONDING TO RACISM IN A COMMUNITY

- ✓ Set up (or sign and share) a petition against racism or/and hate crime. Support anti-racism social media campaigns
- ✓ Attend a vigil or a counter protest.
- ✓ Use whatever skills and means you have. Design, print and or distribute fliers; share your musical talents at a rally etc.
- **Join forces.** Reach out to allies from community organisations, local authorities, places of worship, schools, clubs, and other civic groups. Create or join a diverse coalition such as intercultural or anti-racism group. Gather ideas from everyone and get everyone involved. Asking for help and organising a group reduces personal fear and vulnerability, spreads the workload, and increases creativity and impact.

WHAT CAN YOU DO?

- ✓ Get your organisation to **join ENAR Ireland** anti-racism national Network.
- ✓ **Call on groups that are likely to respond to a hate event**, such as faith alliances, trade unions, student unions, teachers, women's groups, housing activists or youth groups. Make a special effort to involve businesses, schools, local politicians and media.
- ✓ **Build links with members of targeted groups and invite them to avail your services.** Find out what ethnic minority led groups are in your area, attend local mosque events etc. Make sure they know about your organisation.
- ✓ **Work to create a healthy relationship with local Garda Station.** Working together, human rights groups and law enforcement officials can track early warning signs of hate developing in a community, allowing for a rapid and unified response.
- **Support the victims.** If you learn about a hate crime victim in your community, show support. Victims of racist attacks are especially vulnerable and need a strong, timely message that they are valued, welcome members of the community. If you're a victim, report every incident to iReport.ie and relevant authority. Ask for help.

2. RESPONDING TO RACISM IN A COMMUNITY



WHAT CAN YOU DO?

- ✓ **Believe the victims** and treat their complaint seriously. Break down their isolation by reassuring him/her that you are on hand to listen and to help.
- ✓ Get your organisation to **become iReport.ie Racist Incident Reporting Centre**
See: 1.2. iReport.ie – online racist incident reporting system for details ←
- ✓ **Let victims know you care.** Surround them with comfort and protection. Research show that even small acts of kindness such as a phone call, a letter or providing a listening ear, can help.
- ✓ If appropriate, **assist the victim to secure their home** or in finding emergency accommodation. Help them fix the damage caused by the racist attack. Engage others in the community to help.
- ✓ **Mobilise other community members** to act together to respond to racism in the community i.e. painting over racist graffiti with young people. Promote successes.
- ✓ **Help with reporting** what happened to the iReport.ie and authorities such as the police, the Workplace Relations Commission. Provide information on specialised lawyers, free legal support, victim support services. Accompany him/her to court, if appropriate.
- ✓ **Provide them with contact details of organisations providing practical assistance** such as specialised NGOs, ENAR Ireland members, local support groups or victim support organisations (see below). **Do not debate hate group members in conflict-driven forums.** Instead, speak up in ways that draws attention away from hate, toward unity.
- ✓ **Spread positive message on social inclusion and diversity** through social media and websites, church bulletins, door-to-door fliers, letters to the editor, joint statements and print advertisements.
- ✓ **Report racism when you witness it.** Contact the Gardaí if a crime took place. Report all racist incidents to iReport.ie.
- ✓ **Speak up.** Hate must be exposed and denounced. Help news organisations achieve balance and depth.



2. RESPONDING TO RACISM IN A COMMUNITY

- **Educate yourself.** An informed campaign is more effective. Research and be familiar with racist terminology, symbols and current agenda. Understand the difference between a hate crime, racist discrimination, and a bias incident.

WHAT CAN YOU DO?

- ✓ **Participate in anti-racism or 'Responding to Racism in the Community' training** organised by ENAR Ireland or one of trainings provided by its Members.
- ✓ **Join local anti-racism/intercultural group** or national anti-racism network such as ENAR Ireland Network.
- **Create an alternative.** Confrontations serve only the perpetrators and burden law enforcement with protecting hatemongers from otherwise law-abiding citizens. Do not attend a hate rally. Find another outlet for anger and frustration and for people's desire to do something.

WHAT CAN YOU DO?

- ✓ **Hold a unity rally** or parade to draw media attention away from hate.
- ✓ If an event featuring a hate group, avowed separatist or extremist is coming to your college campus, hold a unity rally on a different part of campus. Invite campus clubs, societies and athletic organisations to support your efforts.
- ✓ **Hold alternative events** at the same hour, some distance away, emphasising strength in community and diversity. It can be forum, parade, or unity fair featuring speakers, food, music, exhibits, and entertainment. These events give people a safe outlet for the frustration and anger they want to vent. ENAR Ireland can help you promote your efforts, so get in touch!
- **Pressure leaders.** Elected officials and other community leaders can be important allies. The support of mayors, police chiefs, college presidents, school principals, local religious leaders, business leaders, and others can help your community address the root causes of hate and help turn bias incidents into experiences from which your community can learn and heal. When leaders step forward and act swiftly in the wake of a hate incident, victims feel supported, community members feel safe, and space for action and dialogue can grow.

2. RESPONDING TO RACISM IN A COMMUNITY



WHAT CAN YOU DO?


- ✓ **Demand a quick, serious police response.** The vigorous investigation and prosecution of hate crimes attract media attention to issues of tolerance and encourage the public to stand up against hate.
- ✓ **Demand a strong public statement by political leaders.** When elected officials issue proclamations against hate, it helps promote tolerance and can unify communities. Silence, on the other hand, can be interpreted as the acceptance of hate.
- ✓ **Encourage leaders to name the problem.** Local leaders sometimes try to minimize incidents fuelled by hate or bias by not calling them hate crimes. As a result, victims and their communities can feel silenced, and national hate crime statistics become inaccurate.
- ✓ **Push leaders when they show bias or fail to act.** Healing in the wake of a bias crime or incident — and building a more connected community — requires more than official statements. It also takes hard work. Ask your community leaders to walk the talk. Ask for their public support and involvement in rallies, community meetings, and long-term solutions that address the root causes of intolerance.
- **Stay engaged.** Promote diversity and address bias before another hate crime can occur. Expand your comfort zone by reaching out to people outside your own groups. Hate and racism often begins at home, developing silently under the surface. It can grow out of divided communities where residents feel powerless or voiceless, where differences cause fear instead of celebration. The best cure for hate is a united community.

WHAT CAN YOU DO?

- ✓ **Bring together people of different nationalities, religions, and ethnic groups.** Hold candlelight vigils, interfaith services, and other activities. Gather people around issues important to everyone, such as health, family, community safety, welfare or sport to create opportunities for various members of community to meet and interact.
- ✓ **Mark anniversaries, intercultural celebrations and important dates** such as Anti-Racism Day, World Refugee Day, Diwali or Eid.



2. RESPONDING TO RACISM IN A COMMUNITY

- ✓ **Break bread together.** Some communities have dinner clubs that bring together people of different ethnicities and income levels for a meal. These groups typically have no agenda, no speakers, and only one rule at their dinners: Sit next to someone you don't know.
 - ✓ **Begin a community conversation on ethnicity, identity, diversity and/or racism.** Discussion groups, book clubs, youth clubs, library gatherings can bring people together. Effective community conversations allow individuals to tell their stories, their immigration history, their daily encounters with discrimination, their fear about revealing sexual orientation, and so on.
 - ✓ **Consider building something the community needs,** and use it as an organising tool, from a community garden to a new playground. Make sure residents from different backgrounds are included in the process.
 - ✓ **Create or join your local Facebook page or an online community celebrating diversity and challenging racism.** Create counter-narrative against racist discourse.
 - ✓ **Bring together people from different backgrounds and belief systems,** and provide them with a safe space to share thoughts and get to know each other
- **Teach diversity.** Prejudice is learned early, often at home. Schools and programmes such as the **YELLOW FLAG** or **SHOW RACISM THE RED CARD IRELAND** [See:3.4.6. EDUCATION](#)  can offer lessons, activities and programmes focused on anti-racism, interculturalism and social inclusion. You can host a diversity and inclusion day on campus or reach out to young people who may be susceptible to hate group propaganda and prejudice.





FIVE STEPS FOR PARENTS

1. **Examine your children's textbooks and the curricula** at their schools to determine whether they are equitable and intercultural.
2. **Introduce your child to intercultural experiences** by intentionally expanding your circle of friends and experiences.
3. **Encourage your children to become activists.** They can form harmony clubs, build multicultural peace gardens, sponsor "walk in my shoes" activities, and create ways to interact with children of other cultures.
4. **Examine the media your children consume**, from internet sites to the commercials during their favourite TV shows. Stereotypes and examples of intolerance are bound to be present. Discuss these issues openly, as you would the dangers of cigarette smoking.
5. **Model inclusive language and behaviour.** Children learn from the language you use and the attitudes you model. If you demonstrate a deep respect for other cultures, races, and walks of life, they most likely will, too.

- **Dig deeper.** Look inside yourself for biases and stereotypes. Commit to disrupting hate and intolerance at home, at school, in the workplace and in faith communities.

WHAT CAN YOU DO?

- ✓ **Start with yourself.** Look at your own prejudices you may have. Make positive statements about others, challenging assumptions about people who are different.
- ✓ **Keep persevering on behalf of other members of society** who feel acutely threatened right now. Be an ally for people more vulnerable than yourself.
- ✓ **Get active in your community** and do something that makes you feel empowered.



2. RESPONDING TO RACISM IN A COMMUNITY

ANTI-RACISM CIVIL SOCIETY INITIATIVES

Local anti-racism, integration and intercultural forums and groups are formal or informal civil society initiatives focused on combating racism, supporting integration and promoting interculturalism on a local level. Many of them may have little or no funding and are run by volunteers. Therefore, keep in mind that the level of support those groups may be able to provide can vary. Depending on their focus they may be in position to provide some emotional and practical support, link you with like-minded people or with NGOs or community organisations that can help. Contact your local group directly to see how they can support you and/or how you can get involved.

The following groups are Members of ENAR Ireland:

#IAMIRISH

E: amblirish@gmail.com **WEB:** www.iamirish.org

AFRICA-IRISH DEVELOPMENT INITIATIVE

53 Upper Dorset Street, Dublin 1

E: admin@africairish.com **WEB:** www.africairish.com

ANTI RACISM NETWORK (ARN)

E: arnireland@gmail.com **WEB:** www.arnireland.blogspot.ie

ASSOCIATION OF MIXED-RACE IRISH (AMRI)

E: mixedraceirish@gmail.com **WEB:** <http://mixedraceirish.blogspot.com/>

BALBRIGGAN INTEGRATION FORUM

E: info@balbrigganintegration.ie **WEB:** www.balbrigganintegration.ie

CANAL COMMUNITIES AGAINST RACISM (CCAR)

WEB: www.facebook.com/CanalCommunitiesAR/

CULTURE CONNECTS

The Barbican Centre, William Street, Drogheda, Co Louth

T: 041 986 5025 **E:** cultureconnect@ymail.com **WEB:** www.cultureconnect.ie

DONEGAL INTERCULTURAL PLATFORM

Port House, Letterkenny, Co Donegal

M: 086 879 9889 **E:** donegalip@gmail.com

WEB: www.facebook.com/Port-na-F%C3%A1ilte-formerly-now-Donegal-Intercultural-Platform-165563180213290/

2. RESPONDING TO RACISM IN A COMMUNITY



DÚN LAOGHAIRE RATHDOWN ETHNIC MINORITY INTEGRATION FORUM

C/O Social Inclusion and Development Unit, 2nd Floor, County Hall, Dún Laoghaire-Rathdown County Council, Marine Road, Dun Laoghaire, Co Dublin
E: info@dlrintegration.ie **WEB:** www.dlrintegration.ie

GALWAY ANTI RACISM NETWORK (GARN)

Galway Traveller Movement Office, 1 The Plaza, Headford Road, Galway
E: galwayunitesagainstracism@gmail.com **WEB:** www.alltribeswelcome.com

KERRY AGAINST RACISM

WEB: www.facebook.com/groups/694044730803104/

LOUTH MINORITY ETHNIC CONSORTIUM

c/o Dundalk Chambers of Commerce, Unit 4, Partnership Court, Park Street, Dundalk, Co Louth
E: tinu@lmecc.ie
WEB: www.facebook.com/Louth-Minority-Ethnic-Consortium-603436379706096/

MAYO INTERCULTURAL ACTION (MIA)

Hill House, Mountain View, Gorteendrunagh, Castlebar, Co. Mayo
T: 094 904 4511
M: 086 040 6134 E: miamayo@eircom.net
WEB: www.facebook.com/pg/MayoInterculturalAction

RIALTO COMMUNITY NETWORK

St. Andrew's Community Centre, 468 South Circular Road, Rialto, Dublin 8
E: info@rcn.ie T: 01 473 2003

ROI AGAINST RACISM

E: roiagainstracism@yahoo.com **WEB:** www.facebook.com/groups/rolar/





2. RESPONDING TO RACISM IN A COMMUNITY

COMMUNITY SAFETY INITIATIVES

To address issues of concern in relation to community safety, policing, anti-social behaviour and estate management, a range of community policing initiatives has been established in Ireland, including Local Policing and Community Safety Fora, residents' associations and crime prevention programmes. These initiatives aim to bring together community organisations, An Garda Síochána, Local Authorities, community members and other stakeholders to share information and identify main community safety problems and find solutions. They may provide a forum to voice your concerns in relation to racism in your locality.

Residents forums and community safety forums

• LOCAL COMMUNITY ORGANISATIONS

If you have problems with racism in your community or neighbourhood it may be a good idea to get in touch with your **LOCAL DEVELOPMENT COMPANY**. They can provide you with contacts of a range of relevant **local organisations** such as residents associations, community forums, policing forums that may help address the problem of racism in your locality.

➔ **List of Local Development Companies:** <http://ildn.ie/about-local-development-companies/>

The following Community Safety Forum is a Member of ENAR Ireland:

THE SOUTH WEST CLONDALKIN COMMUNITY SAFETY FORUM

South Dublin County Partnership, Nangor Road, Clondalkin, Dublin 22
T: 01 450 8748 **M:** 086 411 8813 **E:** richard.costello@sdcpartnership.ie
WEB: www.facebook.com/communitysafetyforum

The Forum was set up to build a stronger, safer and healthier community for all by working to reduce crime, the fear of crime and anti-social behaviour. The Forum is made up of local residents, South Dublin County Council, Community Police and Community and Voluntary organisations. The aim of the Forum is to meet, discuss and respond to crime and anti-social behaviour issues in the local area.

An Garda Síochána community initiatives

• COMMUNITY POLICING

Community policing in Ireland is a partnership based, pro-active, community-oriented style of policing. It is focused on crime prevention, problem-solving and law

2. RESPONDING TO RACISM IN A COMMUNITY



enforcement, with a view to building trust and enhancing the quality of life of the entire community.

COMMUNITY GARDAÍ engage in community partnership building, to enhance delivery of the Garda service within communities. You can ask for your local Community Garda Officer at your nearest Garda Station.

➔ **More on community policing:**

www.garda.ie/en/Crime-Prevention/Community-Policing/

➔ **Local Garda Stations directory:**

www.garda.ie/en/Contact-Us/Station-Directory/

● **JOINT POLICING COMMITTEES (JPCs)**

JPCs aim to develop greater consultation, cooperation and synergy on policing and crime issues between An Garda Síochána, Local Authorities, elected local representatives and members of the local community and voluntary sectors. A JPC are now established in each local authority area and provides a forum for discussion of safety and quality of life issues in communities.

➔ **List of local Joint Policing Committees in Ireland:** www.justice.ie/en/JELR/Pages/List_of_Joint_Policing_Committees

➔ **More on Crime Prevention Initiatives:** <http://crimepreventiondirectory.justice.ie/en/JELR/Pages/CrimePreventionInitiatives>

● **COMMUNITY CRIME PREVENTION PROGRAMMES**

An Garda Síochána operates a range of Community Crime Prevention Programmes in partnership with communities in Ireland. Two such programmes are **NEIGHBOURHOOD WATCH** and **COMMUNITY ALERT**. There are over 3,700 such groups established in Ireland working on the basis that every member of a community can help to improve the quality of life in the area by keeping a look out for neighbours and reporting suspicious activities to the Gardaí. If you think that establishing such scheme in your area could improve safety in your community, see below how to proceed.

➔ **Community Alert Handbook:** www.garda.ie/en/Crime-Prevention/Community-Engagement/Neighbourhood-Watch-Community-Alert/Community-Alert-Handbook.pdf

- **COMMUNITY ALERT** is a community safety programme for **rural areas** with an emphasis on older and vulnerable people. It operates as a partnership between the community, An Garda Síochána and Muintir na Tíre.



2. RESPONDING TO RACISM IN A COMMUNITY

To set up a group in your area, contact your **LOCAL GARDA STATION** or your **LOCAL MUINTIR NA TÍRE COMMUNITY ALERT DEVELOPMENT OFFICER**:

- ➔ **List of local Garda Stations:** www.garda.ie/en/Contact-Us/Station-Directory/
- ➔ **List of Community Alert Development Officers:** <http://muintir.ie/contact/community-alert-development-officers/>
- **NEIGHBOURHOOD WATCH** is a crime prevention and community safety programme for **urban areas**. It operates as a partnership between An Garda Síochána and the public. One of its aims is to reduce anti-social behaviour, including graffiti and harassment.

To set up a scheme in your area, contact your **LOCAL GARDA STATION** *See above for the list.* ➔





3. SUPPORT SERVICES FOR VICTIMS OF RACISM

If you or someone you know experienced a hate crime or witnessed it, there are several organisations that offer services specifically to those affected. Additionally, specialist victim support organisations and helplines provide a number of services, such as information about your rights as a victim, practical help, legal advice and emotional support to all victims of crime. Although their services may not be specific to racism victims they may be able to help address certain issues you and your family may experience as an aftermath of a hate crime.

3.1. Support and referral services for victims of racism

CAIRDE

See: PART II: 3.4.5. HEALTH AND FAMILY ←

CROSSCARE INFORMATION AND ADVOCACY SERVICES

See: PART II: 3.4.2. IMMIGRATION, ASYLUM AND DIRECT PROVISION: C. USEFUL CONTACTS ←

CANAL COMMUNITIES AGAINST RACISM

See: PART II: 3.4.4. HOUSING: A. RACISM IN PRIVATE HOUSING ←

DORAS LUIMNÍ

Central Buildings, 51a O'Connell Street, Limerick

T: 061 310328 E: reportracism@dorasluimni.org

WEB: www.dorasluimni.org/report-racism/

Doras Luimní is an independent, non-profit, non-governmental organisation working to support and promote the rights of all migrants living in Limerick and the wider Mid-West. Doras Luimní is also the iReport.ie Racist Incident Reporting Centre and can provide information about your rights and the options for formal reporting. They also offer an accompaniment service for formal reporting if you wish to report to the Gardaí.



3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.1. Support and referral services for victims of racism

ENAR (EUROPEAN NETWORK AGAINST RACISM) IRELAND

28 North Great George's Street, Dublin 1

T: 01 889 7110 E: info@enarireland.org WEB: www.enarireland.org

ENAR Ireland is a national network of anti-racism civil society organisations which aims to work collectively to highlight and address the issue of racism in Ireland through the promotion and monitoring of EU and global anti-racist initiatives. Although ENAR Ireland does not provide advocacy services for victims of racism it can refer you to a relevant organisation that can help you seek redress and support.

IMMIGRANT COUNCIL OF IRELAND (ICI) RACIST INCIDENTS SUPPORT AND REFERRAL SERVICE

2 St Andrew Street, Dublin 2

T: 01 674 0200 E: admin@immigrantcouncil.ie

WEB: www.immigrantcouncil.ie/rights/anti-racism

The ICI Racist Incidents Support and Referral Service provides support, information and appropriate referrals to people who have experienced or witnessed racist incidents in Ireland. The types of support provided range from referrals to counselling if that is required, information about avenues for redress, support in making a formal complaint to an appropriate agency and information as to where to seek legal representation.

MIGRANT RIGHTS CENTRE IRELAND

See: PART II: 3.3.1 RACIST DISCRIMINATION AT WORK ←

NASC, THE MIGRANT AND REFUGEE RIGHTS CENTRE

34 Paul Street, Cork

T: 021 427 3594 E: info@nascireland.org

WEB: www.nascireland.org/know-your-rights/reporting-racism-2

Nasc and An Garda Síochána in Cork city have developed a mechanism through which you can record any incident of racism and report it to the local Gardaí, whether it constitutes a crime or not. Nasc can also let you know what you can do in case of discrimination and assist should you wish to make a complaint about a member of the Gardaí or about racial profiling. NASC is an iReport.ie Racist Incident Reporting Centre.

SOUTH WEST CLONDALKIN COMMUNITY SAFETY FORUM

See: PART II: 3.4.4. HOUSING: A. RACISM IN PRIVATE HOUSING ←



3.2. Victim support organisations

ADVOCATES FOR VICTIMS OF HOMICIDE (AdVIC)

6/9 Trinity Street, Dublin 2

E: info@advic.ie T: 01 617 7937 WEB: www.advic.ie

AdVIC is a charity run by families bereaved by homicide, for families bereaved by homicide. It campaigns for greater rights for victims of homicide, their families and friends. Details of supports offered by AdVIC are available at: www.advic.ie/support/advic-main-support/.

CRIME VICTIMS HELPLINE

Free Phone: 116 006 Text: 085 133 7711 Lo-call: 1850 211 407

E: info@crimevictimshelpline.ie WEB: www.crimevictimshelpline.ie

The Crime Victims Helpline is a listening and support service for victims of crime in Ireland. Their aim is to support, inform and listen to victims of crime and all those impacted by crime. They provide time and space for victims to talk about their experiences. They also provide information about the criminal justice system and referrals to other resources in the community.

CRIMINAL INJURIES COMPENSATION TRIBUNAL

7-11 Montague Court, Montague Street, Dublin 2

T: 01 476 8670 E: criminalinjuries@justice.ie

WEB: www.justice.ie/en/JELR/Pages/WP15000110

The tribunal considers applications from people who suffer a personal injury or death as a result of a crime of violence. Compensation may be awarded based on any vouched out of pocket expenses, including loss of earnings, experienced by the victim or, if the victim has died as a result of the incident, by the dependents of the victim.

FEDERATION OF VICTIM ASSISTANCE IRELAND

5, Enterprise House, Aiden Street, Kiltimagh, Co. Mayo

T: 094 900 0251 (working hours)

Freephone (24hr): 1800 277 477 E: support@victimassistanceireland.com

WEB: www.victimassistanceireland.com

➔ Branch contact details: www.victimassistanceireland.com/page.php?id=49

With branches around the country the Federation offers a range of free and confidential services designed to assist victims and their family members in coping with the effects of crime.



3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.2. Victim support organisations

GARDA VICTIM SERVICE OFFICES

See: PART II: 2.2.1. WHERE TO REPORT A RACIST CRIME ←

IRISH PRISON SERVICE VICTIM LIAISON SERVICE

See: PART II: 2.2.2. REPORTING AND INVESTIGATION PROCESS ←

IRISH TOURIST ASSISTANCE SERVICE (ITAS)

Pearse Street Garda Station, 1-6 Pearse Square, Dublin 2

T: 01 666 9354 **LoCall:** 1890 365 700 **E:** info@itas.ie **WEB:** www.itas.ie

ITAS is specialist service offering immediate support and assistance to tourists who are victims of crime while visiting Ireland. The service is free and confidential. It includes emotional support and practical assistance including help with obtaining Emergency Travel Documents from embassies, rescheduling travel plans with airlines, accessing funds and complimentary accommodation, meals and transport in emergency situations.

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS (DPP)

The Office of the DPP has information on its website about how the DPP makes prosecution decisions, what you can expect if you are a victim of crime, or asked to go to court as a witness. See: PART II: 2.2.2. REPORTING AND INVESTIGATION PROCEDURE for

more information ←

THE RAPE CRISIS NETWORK IRELAND (RCNI)

Carmichael Centre, North Brunswick Street, Dublin 7

WEB: www.rapecrisishelp.ie (information on the support and choices available to survivors of sexual violence) and www.rcni.ie (general website)

➔ **List of local Rape Crisis Centres:** www.rapecrisishelp.ie/find-a-service/

The RCNI is the representative body for Rape Crisis Centres that provide support to victims of rape and all forms of sexual violence. It has published a range of publications including *Guide to the legal process for survivors of sexual violence* and *Legal information pack for practitioners advising survivors of sexual violence*.

SUPPORT AFTER CRIME SERVICES

Ground Floor, 4 Anglesea Villas, Anglesea Street, Cork

T: 021 432 0555 **E:** info@supportaftercrimeservices.ie

WEB: www.supportaftercrimeservices.ie

3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.2. Victim support organisations



A free confidential service for people affected by crime, whether as victim or witness to crime, reported or unreported. Based in Cork, the service covers Cork, Limerick, Clare, Tipperary and Waterford. Services include:

- ✓ Accompanying victim/witness to court
- ✓ Information on the Criminal Justice System
- ✓ Assistance with Victim Impact Statements
- ✓ Inform clients of the Criminal Injuries Compensation Bureau

VICTIMS OF CRIME OFFICE

Department of Justice and Equality, 2nd Floor Montague Court, Montague Lane, Dublin 2

T: 01 476 8686 E: vco@justice.ie WEB: www.victimsofcrimeoffice.ie

- ➔ **List of organisations that provide support to victims of crime:** www.csvc.ie/en/csvc/Pages/Victim%20Services
- ➔ The **Victims Charter and Guide to the Criminal Justice System** describes the criminal justice system from a crime victim's point of view, sets out their rights and entitlements to the services given by the various state agencies working with crime victims.

Victims of Crime Office supports the development of competent, caring and efficient services to victims of crime, by state agencies and non-governmental organisations throughout the country.

VICTIM SUPPORT AT COURT (V-SAC)

Áras Uí Dhálaigh, Four Courts, Dublin 7

T: 01 872 6785 M: 087 288 5521 E: enquiries@vsac.ie WEB: www.vsac.ie

V-SAC is the only voluntary service dedicated solely to court accompaniment for victims of crime, their families and witnesses. V-SAC is at the forefront of delivering a high-quality court accompaniment service within the Irish judicial system.





3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.3. Legal support

3.3. Legal support

BALLYMUN COMMUNITY LAW CENTRE

Unit 1a Shangan Neighbourhood Centre, Shangan Road, Ballymun, Dublin 9
T: 01 862 5805 **E:** info@bclc.ie **WEB:** www.bclc.ie

The community law centre provides free legal advice, information and representation and gives access to justice to people within the Ballymun community.

THE BAR OF IRELAND VOLUNTARY ASSISTANCE SCHEME

Voluntary Assistance Scheme, Law Library Distillery Building, 145-151 Church Street, Dublin 7

E: VAS@lawlibrary.ie

WEB: www.lawlibrary.ie/Legal-Services/Voluntary-Assistance-Scheme.aspx

➔ **How to apply to VAS:** www.lawlibrary.ie/legal-services/voluntary-assistance-scheme/how-to-apply-to-vas.aspx

VAS is the pro bono scheme of The Bar of Ireland. VAS does not require a minimum contribution – once a request for assistance is approved, a barrister will be assigned, and the service is free of charge. While VAS reserves the right to refuse any request, they will ordinarily accept requests from charities, NGOs and civic society groups. VAS can provide legal services to either the organisations themselves or their clients; however the requesting organisation must be acting as an intermediary. VAS does not provide services in family law, child care law or criminal law as these are covered by State legal aid schemes.

COMMUNITY LAW AND MEDIATION (CLM)

Northside Civic Centre, Bunratty Road, Coolock, Dublin 17

T: 01 847 7804 **E:** info@communitylawandmediation.ie

WEB: www.communitylawandmediation.ie

➔ **Community Law & Mediation Dublin:** Northside Civic Centre, Bunratty Road, Coolock, Dublin 17 **T:** 01 848 2988
E: mediation@communitylawandmediation.ie

➔ **Community Law & Mediation Limerick:** Limerick Social Service Centre, Henry Street, Limerick **T:** 061 536 100 **E:** limerick@communitylawandmediation.ie

CLM is an independent, community-based organisation that works to empower individuals experiencing disadvantage by providing free legal information, free legal advice, education and mediation services.

3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.3. Legal support



FREE LEGAL ADVICE CENTRE (FLAC)

85-86 Dorset Street Upper, Dublin 1

Legal information lines:

T: 01 874 5690 **LoCall:** 1890 350 250 **E:** info@flac.ie **WEB:** www.flac.ie

➔ **List of FLAC centres in Ireland:** www.flac.ie/help/centres/

FLAC's volunteer lawyers provide confidential, basic legal advice for free and in person across all areas of law through a network of advice centres in Ireland.

IMMIGRANT COUNCIL OF IRELAND INDEPENDENT LAW CENTRE

2 St Andrew Street, Dublin 2

T: 01 674 0200 **E:** admin@immigrantcouncil.ie

WEB: www.immigrantcouncil.ie/independent-law-centre

The ICI Independent Law Centre is committed to supporting individuals and families often at a vulnerable stage in their lives, including victims of human trafficking and stateless or undocumented persons. Due to limited resources cases are only taken on when they are of strategic importance, and may result in legislative or procedural change, or when the client is particularly vulnerable.

IRISH HUMAN RIGHTS COMMISSION (IHREC)

16-22 Green Street, Dublin 7

T: 01 858 3000 **Lo Call:** 1890 245 545 **E:** YourRights@ihrec.ie

WEB: www.ihrec.ie/our-work/legal-activity/legal-assistance/

IHREC is Ireland's national human rights and equality institution. Under specific circumstances they can provide practical assistance, including legal representation under human rights and anti-discrimination legislation, and more generally in relation to the protection and promotion of human rights and equality.

LEGAL AID BOARD LAW CENTRES

T: 066 947 1000 **LoCall:** 1890 615 200 **E:** info@legalaidthboard.ie

WEB: www.legalaidthboard.ie

➔ **List of Law Centres in Ireland:** www.legalaidthboard.ie/en/contact-us/find-a-law-centre/

The Board is responsible for the provision of legal aid and advice on matters of civil law to persons unable to fund such services from their own resources. Civil legal aid and advice can provide advice about legal problems, help try to solve them and may be able to provide a solicitor and/or barrister for court representation.



3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.3. Legal support

MERCY LAW RESOURCE CENTRE (MLRC)

25 Cork Street, Dublin 8

T: 01 453 7459 E: info@mercylaw.ie WEB: www.mercylaw.ie

➔ **MLRC Free Legal Advice Clinics:** www.mercylaw.ie/services/free-legal-advice-clinics.118.html

MLRC is an independent law centre which provides free legal advice and representation to people who are homeless or at risk of becoming homeless in the areas of social housing and social welfare law in Dublin. The Centre also seeks to advocate change in laws, policies and attitudes which unduly and adversely impact its client group. Cases involving people who live outside Dublin may be undertaken on an exceptional basis.

NASC FREE LEGAL SERVICE

34 Paul Street, Cork

T: 021 427 3594 E: info@nascireland.org WEB: www.nascireland.org/free-legal-service/

Nasc operates a free walk-in service providing legal advice and information on a range of immigration and asylum-related issues. Following a consultation through the walk-in service, you may be referred for an appointment with a specialist legal officer if your case is identified as a particularly complex one.





3.4. Emotional support

The experience of racist crime and discrimination can be acute and traumatic for people who have been subjected to it or witnessed such crime being committed, leaving them feel isolated and vulnerable. Survivors of hate crimes may show more signs of psychological distress – including depression, stress, and anger. The specialist organisations below can provide emotional support for vulnerable victims and witnesses of racism.

AWARE

National Office, 72 Lower Leeson Street, Dublin 2

T: 01 661 7211 **LoCall Helpline:** 1890 303 302 **E:** info@aware.ie **WEB:** www.aware.ie

Aware is a national voluntary organisation providing support for those suffering through depression. The organisation undertakes to create a society where people with depression are understood and supported, are free from stigma, and have access to a broad range of appropriate therapies to enable them to reach their full potential. Services include support groups nationwide, a LoCall Helpline open 365 days a year (both services available to individuals with depression and also family members and friends) Beat the Blues secondary schools awareness programme, depression awareness and information talks and seminars, and a free information service.

CHILDLINE

Free Helpline: 1800 66 66 66 **WEB:** www.childline.ie

24-hour service for children and young people up to 18 years of age open 365 days a year. Provides for confidential, non-judgemental support, no matter what problems the caller is facing.

GAY SWITCHBOARD

Outhouse, 105 Capel Street, Dublin 1

E: ask@ghn.ie **T:** 01 872 1055 **WEB:** www.gayswitchboard.ie

Gay Switchboard Ireland provides a confidential telephone support service. The service is available to the lesbian, gay, bisexual and transgender community (LGBT+), their parents, families and friends and to anyone who has concerns relating to sexuality, gender identity, sexual and mental health. Drop in on Saturdays.



3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.4. Emotional support

NATIONAL LGBT HELPLINE

7 Red Cow Lane, Smithfield Square, Dublin 7

E: info@lgbt.ie **T:** 1890 929 539 **WEB:** www.lgbt.ie

Through the National LGBT Helpline, LGBT Ireland provides access to a network of trained volunteers who provide a non-judgemental, confidential, listening support and information service for lesbian, gay, bisexual and transgender (LGBT) people as well as their family and friends. You can also report a homophobic or transphobic hate incident or hate crime to the National LGBT Helpline.

MENTAL HEALTH IRELAND

WEB: www.mentalhealthireland.ie/information/finding-support.html

MHI website is an information and signposting resource providing a list of various helplines you can contact for confidential non-judgemental support.

PARENTLINE

T: 01 873 3500 **LoCall:** 1890 927277 **WEB:** www.parentline.ie

Parentline provides a completely confidential helpline for parents and guardians.

PIETA HOUSE

WEB: www.pieta.ie

➔ **Find your nearest Pieta House:** www.pieta.ie/index.php/contact-us

Pieta House provides a free, therapeutic approach to people who are in suicidal distress and those who engage in self-harm.

SAMARITANS IRELAND

112 Marlborough Street, Dublin 1

Free Phone: 116 123 **E:** jo@samaritans.org **WEB:** www.dublinsamaritans.ie

➔ **Samaritans by county:** www.samaritans.org/your-community/samaritans-work-ireland/samaritans-branches-ireland

Samaritans is a non-religious, non-political and non-judgemental organisation available 24 hours a day to provide confidential emotional support for people who are experiencing feelings of distress or despair, including those which may lead to suicide.

3. SUPPORT SERVICES FOR VICTIMS OF RACISM

3.4. Emotional support



TEEN-LINE IRELAND

Free Phone: 1800 833 634 **WEB:** www.teenline.ie

Teen-Line provides a listening and support service for teenagers nationwide.

TRANSGENDER EQUALITY NETWORK IRELAND (TENI)

Unit 2, 4 Ellis Quay, Dublin 7

E: office@teni.ie **T:** 01 873 3575 **WEB:** www.teni.ie

TENI seeks to improve conditions and advance the rights and equality of trans people and their families.

TRAVELLER COUNSELLING & PSYCHOTHERAPY SERVICE

6 Cabra Road, Phibsborough, Dublin 7

E: info@travellercounselling.ie **T:** 086 308 1476 **WEB:** www.travellercounselling.ie

A community-based counselling service for the Traveller community. The service works from a culturally inclusive framework which respects Traveller culture, identity, values and norms and works from a perspective of culture centred counselling and psychotherapy.



ENDNOTES



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⁶⁵ Sadler, P., Ethier, N., Gunn, G. R., Duong, D., & Woody, E. (2009). Are we on the same wavelength? Interpersonal complementarity as shared cyclical patterns during interactions. *Journal of Personality and Social Psychology*, 97(6), 1005-1020. Available at: <http://dx.doi.org/10.1037/a0016232>

⁶⁶ Available at: www.splcenter.org/20170814/ten-ways-fight-hate-community-response-guide CityLab www.citylab.com/life/2016/11/how-to-stand-up-to-a-bigoted-attacker/507458/



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