



Quality in Gender+ Equality Policies

European Commission Sixth Framework Programme
Integrated Project

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Context Study Ireland

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DATA TO BE COLLECTED

DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

1.1 Please summarise the key developments, with dates, in gender equality law as provided by the governmental gender equality unit, i.e. list the legislation that the gender equality unit (or equivalent governmental body) name as (gender+) equality legislation. If important legislation seem to have been omitted by the authority, please comment on this.

<u>Legislation</u>	<u>Year</u>	<u>Main provision(s)</u>
Employment Equality Act	1998	Outlaws discrimination on grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race, and membership of the Traveller community (e.g. Roma). Exemptions for institutions. (relates to Directive 75/117/EEC)
Equal Status Act	2000.	Extends all areas of 1998 Act to goods & services
Equality Act	2004	Updates & implements the EU law on sexual orientation discrimination

COMMENT: In addition to the three acts listed here, there are several pieces of legislation on parental, paternity and maternity leave, social welfare & pensions, abortion, various forms of gender based violence (most developed in domestic violence) etc. These acts are however not mentioned by the Equal Authority (governmental body). See Issue histories for Ireland for complete list of legislation relating to non-employment, intimate citizenship and gender based violence.

1.2 EU Policy and Member State Law: Comparisons and Struggles ¹

Have there been disputes in your country over significant parts of EU Directives on gender?

Are there significant parts of EU Directives on gender equality that have not been implemented into national law? If some aspects are not transposed, what are they? Have there been disputes (1995-2007) between the EU and the country over transposition? Or within the country over this process? Or where local/national groups have gone direct to the EU? If so, what is the location of the dispute (e.g. intervention by Commission, Court of Justice; national court)? What was the outcome?

All these questions are very difficult to answer exactly, because the transposition process is so complex. EU Directives are transposed into member state legislation in very different ways using different procedures and different terminology and legal frames too. The aim is to collect all the information that is available already for your country in the table below, using secondary literature.

Please fill in one table for each significant issue,

Please consider the following examples: include if relevant; omit if not; add any others that are relevant in your country. Examples: equal pay & equal treatment; sexual harassment & discrimination; equality bodies; civil society involvement; parental leave and the organisation of working time (example provided).²

¹ Directives: http://ec.europa.eu/employment_social/gender_equality/legislation/legalacts_en.html.

ECJ cases: http://ec.europa.eu/employment_social/gender_equality/legislation/case_law_en.html; More info on transposition: http://ec.europa.eu/employment_social/fundamental_rights/policy/aneval/legnet_en.htm#comp.

² Other gender+ equality related directives you might want to consider include: Directive 75/117/EEC on the principle of equal pay for men and women; Directive 79/7/EEC on the principle of equal treatment for men and women in social security; Directive 86/378/EEC on principle of equal treatment for men and women in occupational social security schemes; Directive 86/613/EEC on equal treatment between self employed men and

Issue	Equal pay/equal treatment
Has law been passed or changed prior to the Directive	(Ireland joined the EU after 1970's directives, and had to transpose upon joining)
Legislation transposing Directive	1977 Equal Pay Act and Employment Equality Act (also established the Employment Equality Agency) following EU directives. 1998 Employment Equality Act. Ireland also had to remove the marriage bar when accepting the acquis.
Does the country claim to have transposed the Directive?	DISPUTED. European Commission has not taken legal action, but there are sanctions in the directives that are not fully transposed.
Significant provisions that are mentioned by experts or political actors as not being transposed	Fails to transpose area of sanctions; excludes self employed; excludes employment in private households from discrimination law. Same sex couples are excluded from statutory and non statutory welfare payments, pension benefits, housing benefits, tenancy rights and tax benefits as heterosexual married couples. Directives 2000/43/EC and 2000/78/EC permit the use of a hypothetical comparator; the Employment Equality Act 1998-2004 does not in the context of equal pay indirect discrimination. The Irish provision is not fully compatible with the Directives.
Important differences between law and Directive now?	No statutory duty on to mainstream equality between men and women in employment (2002/2004 directive).
What is claimed to be better in law and since when?	Equal treatment covered all EU inequality grounds by 1998 and is extended to Goods & Services (2000) Both the Employment Equality Act and the Equal Status Act prohibit discrimination on the basis of a discriminatory ground that is imputed to an individual. Both Acts also prohibit discrimination by association, and discrimination which exists now, existed but no longer exists, which may exist in the future.
Content of dispute(s) + date	Indirect discrimination/equal treatment race: Ireland received a "reasoned opinion" from the European Commission stating that it has failed to implement the directive correctly on June 27 2007
Has any other inequality been part of the transposition disputes? Which inequality axis?	Race/ethnicity Class
Parties to the dispute	European Commission – Irish government. Next instance is the ECJ.
Location or arena	National & European interface (European Commission & Irish government)
Outcome of the dispute	Not settled – ECJ coming up as next instance
Civil society engagement	-
Other notes	The European Commission has not taken action in all the areas in which Ireland's legislation fails to transpose the Directives. Most provisions of the Irish Employment Equality Act 1998-2004 are aimed at the employer and no clear provision is made to enable actions against the perpetrator(s) of discrimination. Exceptions are section 14 of the Act, which refers to liability

women; Directive 92/85/EEC on the safety and health at work of pregnant workers and workers; Directive 97/80/EC on the burden of proof in cases of discrimination based on sex; Directive 2000/78 on equal treatment in employment and occupation

	<p>being imposed on the person responsible for procuring or attempting to procure discrimination, and section 10 which refers to liability being imposed on a person who displays discriminatory advertising.</p> <p>The country experts in the European Network of Legal Experts in the non-discrimination field are generally satisfied that the scope of the Directives is met in Ireland.³</p>
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Issue	Sexual harassment and discrimination
Has law been passed or changed prior to the Directive	Yes Employment Equality Act 1998 and the Equal Status Acts 2000-2004
Legislation transposing Directive	the Equal Status Acts 2000-2004
Does the country claim to have transposed the Directive?	Yes
Significant provisions that are mentioned by experts or political actors as not being transposed	Same sex harassment is not currently covered by the Irish legislation but is by the Directive. Also, the Irish legislation on harassment requires that the offending conduct can reasonably be regarded as violating the dignity of a person, whereas the EU directive 'only' requires that the conduct/act has the purpose or effect of violating the dignity of a person, and/or the purpose of "creating an intimidating hostile, degrading, humiliating or offensive environment."
Important differences between law and Directive now?	Same sex harassment is not currently covered by the Irish legislation but is by the Directive
What is claimed to be better in law and since when?	Both the Employment Equality Act and the Equal Status Act prohibit discrimination on the basis of a discriminatory ground that is imputed to an individual. Both Acts also prohibit discrimination by association, and discrimination which exists now, existed but no longer exists, which may exist in the future.
Content of dispute(s) + date	.
Has any other inequality been part of the transposition disputes? Which inequality axis?	Race/ethnicity, age, religion, disability
Parties to the dispute	-
Location or arena	-
Outcome of the dispute	-
Civil society engagement	-
Other notes	The country experts in the European Network of Legal Experts in the non-discrimination field are generally satisfied that the scope of the Directives is met in Ireland. ⁴

³ http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/07compan_en.pdf

⁴ http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/07compan_en.pdf

Issue	Equality bodies
Has law been passed or changed prior to the Directive	YES (goods & services)
Legislation transposing Directive	Employment: 1977 Employment Equality Authority established by the Employment Equality Act 1977 G & S: 1999 Equality Authority established under 1998 Employment Equality Act (Single Equalities Body)
Does the country claim to have transposed the Directive?	YES
Significant provisions that are mentioned by experts or political actors as not being transposed	NO
Important differences between law and Directive now?	-
What is claimed to be better in law and since when?	Questionable. The Irish equalities body is a merged, single equalities body encompassing all grounds required by the EU.
Content of dispute(s) + date	-
Has any other inequality been part of the transposition disputes? Which inequality axis?	Gender, race, age, disability, sexual orientation
Parties to the dispute	-
Location or arena	-
Outcome of the dispute	-
Civil society engagement	National women's commission Ireland is critical to a single equalities body, (same as EWL official position) and to " <i>merge discrimination, human rights, and gender equality bodies</i> ". and " <i>approach has tended to be more focused on minimizing budgets. It has not led to greater coherence, but simply to less money and resources, and less precise and adequate mechanisms to deal with the complex issues of human rights, antidiscrimination, and gender equality</i> "
Other notes	Single Equalities body to encourage dialogue between government and civil society

Issue	Parental Leave
Has law been passed or changed prior to the Directive	No
Legislation transposing Directive	The parental Leave Act 1998
Does the country claim to have transposed the Directive?	No, but disputed.

Significant provisions that are mentioned by experts or political actors as not being transposed	Parental leave is transferable under certain circumstances. EU directive stipulates 3 months individual non transferable parental leave
Important differences between law and Directive now?	Parental leave is transferable under certain circumstances. EU directive stipulates 3 months individual non transferable parental leave
What is claimed to be better in law and since when?	Longer leave than required by Dir. 2002. 14 weeks parental leave Longer maternity leave, constantly increased beyond EU requirement throughout 1995-2007, 22 weeks (2001) 26 weeks from March 2007. + 12 weeks additional maternity leave (1994)
Content of dispute(s) + date	Cut off date. Complaint to CEC in 1998, CEC formal opinion to IRE government 2000. IRE government responded insisting on keeping cut off, CEC demanded change. In 2000 Ireland complied. Parental leave must be taken before child turns 8
Has any other inequality been part of the transposition disputes? Which inequality axis?	Gender & class
Parties to the dispute	Commission/IRE government
Location or arena	State/Eu interface : Commission intervention, sent a reasoned opinion saying that Irish cut off date was contrary to directive
Outcome of the dispute	Ireland transposed fully by amending legislation
Civil society engagement	Irish congress of trade union filled the initial complaint to the Commission after Irish leg in 1998. Women's organisation's in alliance with trade unions and employers organisations on the other side.
Other notes	

Issue	Organisation of working time Council Directive <u>93/104/EC</u> , of 23 November 1993, concerning certain aspects of the organisation of working time. Amended by Directive <u>2000/34/EC</u> of 22 June 2000 of the European Parliament and of the Council. Directive 97/81/EC Part time work.
Has law been passed or changed prior to the Directive	Not prior to original directive in 1993, but prior to amendments in 2000. The Organisation of Working Time Act, 1997, essentially reproduces the Directives.
Legislation transposing Directive	2003 Protection of employees (fixed term work) Act ⁵ implements EU Directive 1999/70/EC concerning the Framework Agreement on Fixed-Term Work. It provides, particularly for the improvement of the quality of fixed-term work by ensuring the application of the principle of non-discrimination (i.e. fixed-term workers may not be treated less favourably than comparable permanent workers). Directive 97/81/EC Part time work transposed through the Protection of Employees (Part-time Work) Act, 2001 (PtWA). The Act entered into force on 20 December 2001 Council Directive <u>93/104/EC</u> , of 23 November 1993, concerning certain aspects of the organisation of working time: Safety, Health and Welfare at Work (General Application) Regulations, 1993; Organisation of Working Time Act, 1997 (Commencement) Order, 1997; Organisation of Working Time (Determination of Pay for Holidays) Regulations, 1998; Organisation of Working Time (Exemption of Transport

⁵ <http://www.ucc.ie/law/irlii/statutes/2003-29.php>

	Activities) Regulations, 1998; Organisation of Working Time (General Exemptions) Regulations, 1998; Organisation of Working Time (Code of Practice on Compensatory Rest and Related Matters)(Declaration) Order, 1998; Organisation of Working Time – Terms of Employment (Additional Information) Order, 1998; Organisation of Working Time (Exemption of Civil Protection Services) Regulations, 1998; Organisation of Working Time (Breaks at Work for Shop Employees) Regulations, 1998; Organisation of Working Time (Code of Practice on Sunday; Working in the Retail Trade and Related Matters (Declaration) Order, 1998; Safety, Health and Welfare at Work (Night Work and Shift Work) Regulations, 1998; Organisation of Working Time (Public Holiday) Regulations, 1999.
Does the country claim to have transposed the Directive?	Yes
Significant provisions that are mentioned by experts or political actors as not being transposed	Article 11 requires Member States to take the measures necessary to ensure that an employer who regularly uses night workers brings this information to the attention of the competent authorities if they so request. There is no such here are no specific arrangements for informing the authorities in Irish legislation.
Important differences between law and Directive now?	As regards the scope of the Framework Agreement Ireland make use of the right to exclude workers who work on a casual basis.
What is claimed to be better in law and since when?	-
Content of dispute(s) + date	-
Has any other inequality been part of the transposition disputes? Which inequality axis?	-
Parties to the dispute	-
Location or arena	-
Outcome of the dispute	-
Civil society engagement	-
Other notes	Commission say that Ireland, alongside four other MS (Portugal, Germany, Sweden and United Kingdom) took advantage of the opportunity to draft new and specific legislation concerning part-time work with a view to encouraging its promotion. ⁶

1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?

	EU			Ireland		
	Provision	Year	Notes	Provision	Year	Notes
Maternity	14 weeks	1996	Pay must not be less than wage during sickness leave.	22/26 +16 weeks	1998/2007	No obligation for employer to pay. Maternity leave has constantly been increased in Ireland.

⁶ http://ec.europa.eu/employment_social/labour_law/docs/06_parttime_implreport_en.pdf

Paternity	Optional	1995		16 weeks unpaid	-	The 16 weeks can be shared with mother
Parental	12 weeks	1996	Unpaid	14 weeks	1998	Unpaid, conditionally transferable Must be taken before child is 8 years
Duty on all public bodies to promote GE	No	2004	Mainstreaming required by 2006	NO	-	-
Equalities body (employment)	Yes	2002		YES	1977	Employ. Eq. Agency
Equalities body (goods&services)	Yes	2004		YES	1999	Equality Authority
Equalities body for promotion	Yes	2006		YES	1973	NWCI
Gender pay audits	Unspecified			NO		
Gender Equality plan (employment)	Yes	2006		Possibly	2007	National women's strategy
Requires NGO dialogue	Yes	2006	Extent not specified	YES		
Positive action measures	Yes/no	1975	Allowed, not required	Allowed		
If there are no sanctions for violating the law, please state this						
Other:						
1. Women in decision making				State bodies are required to nominate 60/40 gender to state body boards. Ministers must review gender balance composition of the State boards and committees under their department and to take measures to redress gender imbalances, where the 40% target has not been reached (2002).		

1.4 Equality law on intersecting inequalities

- Is discrimination on the grounds of ethnicity/'race' illegal YES
 - When was this law introduced?
 - 1998 Employment
 - 2000 Goods & Services
 - Is this restricted to employment related issues? No, since 2000 also in G&S
 - Does it include the sale and supply of services? YES
 - What disputes if any took place during its introduction?

Note: According to European network of legal experts, it is questionable whether social protection, social advantages and housing are covered by the scope of the Equal Status Act 2000-2004.⁷

⁷ http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/07compan_en.pdf

- Is discrimination on the grounds of religion illegal YES
 - when was this law introduced? 1998 Employment, 2000 Goods & Services
 - Is this restricted to employment related issues? NO, not since 2000
 - Does it include the sale and supply of services? YES, since 2000
 - What disputes if any took place present during its introduction?

- Is discrimination on the grounds of sexual orientation illegal? YES
 - when was this law introduced?
 - 1998 Employment
 - 2000 Equal Status Act
 - 2000 Goods and Services
 - 2004 Equality Act
 - Is this restricted to employment related issues? NO
 - Does it include the sale and supply of services? YES, since 2000
 - What disputes if any took place during introduction of these laws?
 - Civil Partnership: Church vs. LGBT civil society and women's NGOs
 - Adoption arranged by churches
 - Private clubs

- Is discrimination on the grounds of disability illegal YES
 - when was this law introduced? 1998 Employment & Equality Act
 - Is this restricted to employment related issues? NO
 - Does it include the sale and supply of services? YES, since 2000 Equal Status Act
 - What disputes if any took place during introduction of these laws? -

- Is discrimination on the grounds of age illegal YES
 - when was this law introduced? 1998 Employment & Equality Act
 - Is this restricted to employment related issues? NO
 - Does it include the sale and supply of services? YES, since 2000 Equal Status Act
 - What disputes if any took place during introduction of these laws? -

Note: In Ireland, an employee may be dismissed after he or she has reached the 'normal retiring age' for that position. Also, there are other states where national law permits the compulsory retirement of employees, whether in the public or private sector, because they have reached a certain age: Finland (68), Italy (65), Luxembourg (68), Sweden (67), UK (65).⁸

- Is discrimination on the grounds of marital status illegal? YES
 - when was this law introduced? Equal Status Act 2000
 - Is this restricted to employment related issues? No
 - Does it include the sale and supply of services? Yes
 - What disputes if any took place during introduction of these laws?

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- Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant?

Social and economic status/origin, and membership of a national minority (NWCII)

2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country.

The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State.

⁸ http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/07compan_en.pdf

2.1 National gender equality plans

2.1.1 Is there a national gender equality plan?

Yes

If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).

In 2007 the Department for Justice, Equality and Law Reform (under the direction of an inter-departmental committee) published the *National Women's Strategy 2007-2016*.⁹

The forward of the strategy states that it: 'addresses all the key areas of concern for women in Ireland today. It aims to support them at work, be it in the economy or at home as carers; to ensure their well-being and to encourage them to make a contribution as active citizens and decision-makers.'

Accordingly, the strategy is organised around three major themes of: Equalising socio-economic opportunity for women (labour market participation, gender pay gap, caring services, education and training, anti-poverty measures); Ensuring the wellbeing of women (includes violence against women and trafficking); and Engaging as equal and active citizens (women in decision making, women in politics, women on state and private sector boards). Intersectionality of gender with other inequalities is referred to in the strategy by attention to the 'special needs of some groups of women'.

Is the focus restricted to non-discrimination?

The focus goes beyond non-discrimination.

Is there reference to gender mainstreaming?

Gender mainstreaming is referred to in the plan (see below).

Are there named policy instruments and/ institutions, if so what?

Attention is given to employment, education and health policies, institutions such as education, workplace and naming of various bodies having responsibility- from government departments and agencies to the social partners.

In a section on implementing the strategy, gender mainstreaming of policies in different government departments is discussed, together with 'incorporating a gender perspective into departmental strategies, and a consideration of gender budgeting. Gender mainstreaming is named as the principal instrument for achieving gender equality.

It is proposed that a Committee will monitor the implementation of the strategy and that interim reviews of progress will take place every three years (page 115).

Are there indicators and statistics to evaluate the policies?

The strategy specifies numerous objectives, together with 'indicators', 'targets' and named bodies having 'responsibility'. However, the targets are generally vague statements rather than figures (aiming for 'increase' or stated as 'on-going').

Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)? (Add age here)

Yes. Both Lisbon target and Barcelona target are referred to in the strategy. It is stated that Ireland is on target to reach the 60% female employment rate by 2010. In reference to the Barcelona target, it is stated that the relatively recent growth of female employment in Ireland has meant that supply of places has struggled to catch up with demand.

⁹

<http://www.justice.ie/en/JELR/National%20Womens%20Strategy%20PDF.pdf/Files/National%20Womens%20Strategy%20PDF.pdf> For background and lead up to the production of this strategy, including details as to inter-departmental committee working on the strategy, see NWCI Annual Report 2005 http://www.nwci.ie/publications/annual_reports The Strategy was delayed, in order to co-ordinate with the Social Partnership Agreement, with the proposal that monitoring the strategy would be part of this agreement. Also, the form / content appeared to change substantially i.e. the strategy was re-written).

2.1.2 Is gender equality integrated with other equalities in a national plan?

If yes please name and describe very briefly the range of issues that it covers, in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both or a similar goal (e.g. equal opportunities)? If so, please specify.

*National Development Plan 2007–2013 Transforming Ireland: A better quality of life for all*¹⁰

In this plan, reference is made to both gender mainstreaming and gender equality (the latter a stated 'priority' of the government). The majority of references to women in the plan are in relation to women's position in the labour market, with emphasis on equality.

*Towards 2016 Ten-year framework social partnership agreement 2006-15*¹¹

Extended discussion of gender equality tends to be deferred by referring the reader to the forthcoming National Women's Strategy. Where 'mainstreaming' is mentioned, it tends to be in relation to policies for 'people with disabilities.'

*National Action Plan for Social Inclusion 2007-2016*¹²

Although the plan includes some mention of existing gender inequalities (e.g. in care and the gender pay gap), discussion of measures concerning gender issues is again deferred by referring the reader to the National Women's Strategy. Consideration of violence against women is not included.

2.1.3 Is there a gender equality (or similar) plan in the area of gender based violence

While a recent report (Hagemann 2006)¹³ notes that Ireland has a plan in the area of gender-based violence, the document does not yet appear to be available.

If yes please name the plan. Does it cover:

- Domestic violence and violence in partnerships
- Sexual assault/violence and rape
- Sexual harassment and stalking
- Trafficking and prostitution
- Forced marriage, honour crimes and FGM

Does the plan include:

- named policy instruments and/or institutions, if so what;
- indicators and statistics to evaluate the policies, if so which?

2.2 EU required National Reform Programme (National Action Plan) for Employment

Does the EU required National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) include a significant set of actions concerning gender equality? If so, what are these?¹⁴

*Lisbon agenda: integrated guidelines for growth and jobs, Ireland: implementation of National Reform Programme, progress report (October 2006)*¹⁵

The main focus on gender is through policies to increase childcare provision and reform the pensions system (though these areas are not explicitly addressed as gender issues). Gender disaggregated statistics are provided for employment growth. The initiative 'Expanding the Workforce' which aims to provide a gateway to the labour market for women returnees is discussed as well as policy proposals targeting lone parents (and it is acknowledged that the majority in this group are women). The report has a section 'Greater integration of specific groups into the labour market' where female participation, the gender pay gap, gender mainstreaming, the equality for women measure (entrance and progression in education, training and employment), childcare projects, people with disabilities, travellers and older workers, as well as pension reform and migration policy are all discussed.

¹⁰ <http://www.ndp.ie/documents/ndp2007-2013/NDP-2007-2013-English.pdf>

¹¹ http://www.taoiseach.gov.ie/attached_files/Pdf%20files/Towards2016PartnershipAgreement.pdf

¹² <http://www.welfare.ie/publications/napsocinc.pdf>

¹³ *Combating violence against women. Stocktaking study on the measures and actions taken in Council of Europe member states.* Prepared by Prof. Dr. Carol Hagemann-White with the assistance of Judith Katzenbrink and Heike Rabe, University of Osnabrück, Germany. Council of Europe, 2006.

[http://www.coe.int/T/E/Human_Rights/Equality/PDF_CDEG\(2006\)3_E.pdf](http://www.coe.int/T/E/Human_Rights/Equality/PDF_CDEG(2006)3_E.pdf)

¹⁴ Member state reports 2006: http://ec.europa.eu/growthandjobs/key/nrp2006_en.htm

¹⁵ http://ec.europa.eu/growthandjobs/pdf/nrp/IE_nrp_en.pdf

The report states that: 'Gender mainstreaming has been adopted as the principle strategy to achieve gender equality' (page 32) and it is stated that gender mainstreaming arrangements for government departments will be detailed in the National Women's Strategy (page 32).

Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state's programme? If so, what are these?¹⁶

In their synthesis report (2005)¹⁷, EGGsIE criticised Ireland for omitting reference to gender mainstreaming in relation to the full employment guideline, for the exclusion of women from significant active labour market programmes, for lacking a consistent gender focus in considering the inclusive labour market guideline, lack of progress on the individualisation of the social welfare system and for the lack of strategies in tackling the gender pay gap. They note the low level (and high cost) of childcare provision and lack of paternity leave in Ireland. The expert group also express concern that the forthcoming National Women's Strategy will replace or dilute gender mainstreaming in the National Development Plan.

According to EGGsIE, the NRP is weak in its commitment to gender equality and gender mainstreaming, much of the data present is not gender disaggregated, there were fewer gender policies than the preceding year, together with generally less visibility of gender.

In summary, EGGsIE (2005: 217) state:

Despite Ireland having developed a significant level of legislation, institutional mechanisms and policy processes in relation to GM over the last seven years... in practice the implementation of GM within the NDP has been weak, both under-resourced and lacking effective monitoring and enforcement.

But there were some positive comments in relation to Ireland, including the gender impact of increasing the national minimum wage.

Did the EU Commission's response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?¹⁸

European Commission's Assessment of the National Reform Programme¹⁹:

Emphasises importance of developing services (childcare and training) in increasing employment rates.²⁰

Specific Recommendations of the Commission^{21 22}:

Specifies areas for focus, including the need to establish a comprehensive childcare infrastructure.

2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion

Does the EU required National Report on Strategies for Social Inclusion include a significant set of actions concerning gender equality, including gender-based violence? If so, what are these?²³

Possibly, but no reference to gender mainstreaming. No, gender based violence is only briefly mentioned.

The report identifies the most vulnerable groups- families with children, especially lone parents and larger families, people with disabilities and older people living alone. Ireland's new framework for tackling social exclusion in the form of a lifecycle approach is discussed. Measures to improve access to employment and tackle child poverty are outlined (with specific attention to lone parents), together with details around pension reform.

¹⁶ EGGsIE 2005 report see:

http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf

¹⁷ http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf

¹⁸ EC response: http://ec.europa.eu/growthandjobs/annual-report-1206_en.htm

¹⁹ http://ec.europa.eu/growthandjobs/annual-report-1206_en.htm

²⁰ http://ec.europa.eu/growthandjobs/pdf/1206_annual_report_ireland_en.pdf

²¹ http://ec.europa.eu/growthandjobs/annual-report-1206_en.htm

²² http://ec.europa.eu/growthandjobs/pdf/1206_annual_report_legal_basis_en.pdf

²³ Member state reports: http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm

In the second chapter, four priority objectives in increasing social inclusion are detailed – child poverty, access to quality work and learning, integration of immigrants and access to quality services- and the measures being implemented to achieve objectives are described. A focus on gender is included under each of the priorities- though at times appears confused (page 16). For example, the report states that the aim is to combat child poverty ‘irrespective of gender’... though there are instances where a gender perspective is important (e.g. boys’ lower school leaving age) and the claim to attend to diversity beyond gender (without details). Nevertheless, in the discussion of increasing employment participation, it is acknowledged that women are a ‘large group amongst those marginalised from the labour market’ and particular groups of women- older women and lone parents- who are more likely to be marginalised are identified. In relation to the objective on integration of immigrants, female migrant workers are described as facing a potential ‘double disadvantage’ in that their situations can be shaped by both racism and sexism. In the section on accessing quality services, the different vulnerability of men and women is discussed and reference is made to the forthcoming ‘National women’s strategy’ (2007). However, in comparison with this chapter on social inclusion, in the sections of the report addressing pensions and health care, gender seems to drop out of focus.

While there is no specific reference to ‘gender mainstreaming’, the way in which social inclusion and poverty proofing is being mainstreamed is mentioned. Also, the term ‘gender perspective’ tends to be used where the gender impact of policies and measures is being assessed.

In the report there is only brief mention of violence against women (in an annex to the report page 86-7, describing 2 measures to prevent domestic violence and support victims)

[Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report \(including gender-based violence\)? If so, what are these?](#)²⁴

Information from a general report rather than Ireland specific report.²⁵

Rates of disability are higher amongst women in Ireland, and among the disabled population women have higher rates of poverty (partly because half of disabled women are also older- and older women as a whole have higher rates of poverty). Labour market participation rate is very low amongst disabled women and if they are not employed they are less likely to receive welfare benefits than men – being more likely to define themselves as engaged in home duties than as unemployed. Also, there are high numbers of lone mothers, a group at high risk of poverty (the report notes that recent reforms aimed at increasing employment have taken the form of negative incentives- such as reducing benefits- rather than positive incentives. The lack of childcare is a particularly acute problem in Ireland, and this is identified by the national expert as the greatest barrier to work, education and training. The expert also suggests changes in the tax benefit system to create better incentives for labour market participation.

(No specific comments on gender based violence since general report focuses on a selection of countries, not including Ireland)

[Did the EU Commission’s response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality \(including gender based violence\)? If so, what were these?](#)²⁶

According to the report:

The approach taken to gender issues is mixed. A gender perspective is systematically included within the discussion of each policy objective, an approach which demonstrates an increased awareness of the particular issues facing men and women. This does not however translate into gender-specific targets. The adoption of the life cycle approach, mirroring that set out in the Towards 2016 Agreement can be characterised as ‘gender-blind’ with the result that the visibility of gender mainstreaming is diminished considerably.²⁷

²⁴ EGGSI Synthesis report (2006) http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf

²⁵ Expert group on gender, social inclusion and employment (2006) *Gender inequalities the risks of poverty and social exclusion for disadvantaged groups in 30 European countries*. European Commission. http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf

²⁶ EC report: http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm

²⁷ Website: http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm

Report: http://ec.europa.eu/employment_social/social_inclusion/docs/2007/joint_report/irl_en.pdf

The report also notes the higher rate of risk of poverty amongst older women.
No reference to gender based violence.

2.4 EU funding

Does the EU provide funding in your country that has / has had a significant gender impact?²⁸

Structural funds to consider include the European Social Fund²⁹ and the European Regional Development Funds³⁰, Yes.

- If yes, how much and over what period of time?
- If yes, comment upon the extent to which gender was mainstreamed in associated plans and programmes (e.g. the National Development Plans for 2000-2006)?

Yes.

Since 1988 Ireland has received large sums under E.U. Funds (Structural funds, Cohesion Fund), though the amount has lessened over recent periods.

According to Ireland's National Development Plan website³¹, EU funding has been one of the contributing factors to Ireland's recent economic growth. Since joining the EU, Ireland has received approximately €17 billion in E.U. Structural and Cohesion Funds support (1973- 2003) and over the period 1989-99 Ireland received about €11 billion in Structural and Cohesion Funds.

Examples of specific programmes in area of gender equality:

Establishing of the NDP Gender Equality Unit within the Department for Justice, Equality and Law Reform.³²

Implementation of elements of the National Women's Strategy expected to be funded through European Social Funds.

Support from European Social Fund for women's educational programmes (Women's Education Initiative, renamed: Education Equality Initiative)

Contribution from EU funds for childcare facilities.³³

EU funding through the Daphne Programme to prevent violence against women and children, e.g.

Creation of Forensic Nursing Committee in Ireland for women victims of rape.³⁴

Funding of projects through ESF EQUAL programme.³⁵

Over the period 2000-2006 Ireland received €3.4 billion from EU structural funds, of which €1.057 billion was in the form of ESF funding³⁶ (other 3 funds: European Regional Development Fund; the European Agricultural Guidance and Guarantee Fund; and the Financial Instrument for Fisheries Guidance).

The majority of funding for the current National Development Plan³⁷ is from domestic sources, with only around 10% from European funds (with approx. 3.8 billion euros from the structural and cohesion funds). Measures to combat gender inequality are included under one of the objectives in the plan (to promote social inclusion).³⁸

²⁸ The following link may serve as a useful starting point (see drop-down menus along the top of the page and links on the left hand side): http://ec.europa.eu/regional_policy/policy/history/index_en.htm

²⁹ http://ec.europa.eu/regional_policy/funds/fse/index_en.htm

³⁰ http://ec.europa.eu/regional_policy/funds/feder/index_en.htm

³¹ http://www.ndp.ie/viewdoc.asp?fn=/documents/eu_structural_funds/overview/structural_funds.htm&mn=eus&nID=3

³² <http://www.csfinfo.com/viewdoc.asp?Docid=475&mn=pror&nID=&UserLang=EN&CatID=33&StartDate=1+January+2007>

³³ http://www.ndp.ie/viewdoc.asp?fn=/documents/eu_structural_funds/overview/structural_funds.htm&mn=eus&nID=3

³⁴ http://ec.europa.eu/justice_home/funding/2004_2007/daphne/doc/daphne_experience/daphne_experience_en.pdf

³⁵ <http://www.equal-ci.ie/2000/index1.html>

³⁶ <http://www.esf.ie/en/faq.aspx>

³⁷ http://www.ndp.ie/documents/ndp2007-2013/NDP_Summary.pdf

³⁸ <http://www.ndp.ie/viewdoc.asp?fn=%2Fdocuments%2Foverview%2Fobjectives-and-strategy.htm&mn=ovem&nID=1>

3. Governmental Machinery for Equality

Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers). (Approx. 250 words)

In Ireland, the government machinery for gender equality is the Gender Equality Division within the Department of Justice, Equality and Law Reform. The unit is responsible for fostering the achievement of "true equality" between women and men in Ireland. In addition to this division, there is The National Development Plan Gender Equality Unit, partly funded by EU structural funds to implement and monitor the 2007 Women's Strategy.

In 1993 there was a Ministry for Equality, this was merged in 1995 with the Department for Justice, and was renamed Dept. of Justice Equality and Law Reform. One consequence was the downgrading of minister responsible from senior to junior –which meant that there was no longer any direct representation at the Cabinet (Daly and Clavero 2003).³⁹

Independent machinery for gender equality - the Employment Equality Agency- was established under the Employment Equality Act 1977. This body was replaced in 1999 by 'the Equality Authority'- a Single Equalities Body under the 1998 Act- with the remit to cover all nine grounds for discrimination. The (largely) state funded body which acts as the representative of women's organisations in Ireland is the National Women's Council of Ireland which was founded in 1973 (originally called the 'Council for the Status of Women'). It was established following a report from the Commission on the Status on Women in 1972.

Do any or all of these forms of gender machinery exist in the country, and if so what are they called: Governmental (civil servants and ministers in central government)?

Yes, the Gender Equality Unit and the Gender Equality Division of the Department of Justice, Equality and Law Reform.

Also, the Equality Unit within the Department of Education and Science (formed in 2001).

Enforcement and monitoring agency (e.g. equality authority, ombudsperson)?

Yes, the Equality Authority.⁴⁰

Replaced the Employment Equality Agency (for discrimination on grounds of gender) which was set up under the Equality Act 1977. According to the Strategic Plan⁴¹ (2006): its remit is to promote equality of opportunity as covered in the Employment Equality (1998, 2004) and Equal Status Acts (2000, 2004). The legislation covers the nine grounds of gender, marital status, family status, age, sexual orientation, disability, race, religion and membership of the Traveller community. According to the Equality Authority annual report (2005), as well as working to address discrimination on the nine grounds, one of their 'themes' is to address the specific situation of those who face the 'additional barriers' of poverty and exclusion.

The Authority operates within a wider infrastructure of public institutions contributing to the promotion of equality (e.g. the Irish Human Rights Commission).

Special legal apparatus (e.g. special courts for employment or domestic violence)?

Yes, courts for employment: The Rights Commissioner Service, the Employment Appeals Tribunal, the Labour Court and the Equality Tribunal.

Special legal apparatus: courts for employment

³⁹ Daly, Mary and Sara Clavero. 2003. EQUAPOL: Gender sensitive and woman friendly public policies: A comparative analysis of their progress and impact: Ireland. Belfast: School of Sociology and Social Policy, Queen's University, Belfast.

⁴⁰ <http://www.equality.ie/index.asp?locID=3&docID=-1>

⁴¹ From The Equality Authority Strategic Plan 2006-08, available at: <http://www.equality.ie/index.asp?locID=106&docID=513>

The Equality Tribunal⁴² mediates and investigates claims of unfair discrimination (all nine grounds) under the equality legislation, including discriminatory dismissal and victimisation dismissal (but not unfair dismissal which is dealt with by the Employment Appeals Tribunal).

In employment and pensions cases, claimant or respondent can appeal the Equality Officer's decision to the Labour Court. In equal status cases, either side may appeal the decision to the Circuit Court.

The Rights Commissioners Service⁴³ deals with disputes, grievances and claims of individuals or small groups of workers under legislation in areas such as parental leave, employment permits, industrial relations, and unfair dismissals.

Where the case has been referred under the Unfair Dismissal Acts or Industrial Relations Acts, a party to a dispute can object to an investigation by the Rights Commissioners and request that the case be heard by either the Labour Court or – depending on the legislation- the Employment Appeals Tribunal. In cases brought under other legislation, there is no right of objection and the case will be heard by the Rights Commissioner in the first instance.

Decisions can be appealed to either the Labour Court or the Employment Appeals Tribunal depending on the legislation.

The Labour Court.⁴⁴ Referrals come from parties via the Labour Relations Commission, or directly in the case of an industrial relations dispute (by one or both parties with agreement in advance to accept recommendation of the Labour Court) or appeals where the decision of a Rights Commissioner or Equality Tribunal Officer is being appealed to the Labour Court. (Not all recommendations of the Labour Court are enforceable due to voluntarist nature of the industrial relations machinery, but some categories where the decision of the court is enforceable).

The Employment Appeals Tribunal⁴⁵ deals with direct claims under the following Acts:

Redundancy Payments Acts, 1967 to 2003; Minimum Notice and Terms of Employment Acts, 1973 to 2001; Unfair Dismissals Acts, 1977 to 2001; and Organisation of Working Time Act, 1997. It also deals with Appeals from the Rights Commissioner Service.

(Appeals to the High Court or Circuit Court depending on the claim).

[Body for consultation / dialogue with women's NGOs?](#)

National Women's Council of Ireland (1973)

[Other, for example, Parliamentary Committees?](#)

(Parliamentary) Oireachtas Joint Committee on Justice, Equality, Defence and Women's Rights.

The Committee on Women's Rights was first established in 1983 with membership drawn from both Houses of the Oireachtas (Parliament). It was established to examine or propose legislative measures affecting the interests of women, to consider means to eliminate any areas of discrimination against women, and to consider specific disadvantages affecting women in the home and to propose changes to eliminate these disadvantages. Since general shift in Irish policy to a more general equality policy and the effect of reform of the committee system with the establishing of a committee with a broader remit 'Joint Committee on Justice, Equality, Defence and Women's Rights' and Select Committee⁴⁶ is seen as diminishing its influence (Daly and Clavero 2003; Galligan 2000).

First and second Commission of the Status of Women

1970 First Commission on the Status of Women (Report 1972).

1990 Second Commission on the Status of Women. Established by the government to review the implementation of the recommendations of the first commission and to consider and make recommendations on the means to enable women to participate on equal terms and conditions with men, with special attention to the needs of women in the home. The report was presented to Government in January 1993, concluding that equality requires power sharing and partnership at the domestic level as well as within the wider community. Its implementation was monitored by the Department for Equality and Law Reform (CEDAW report Ireland 1997).

⁴² <http://www.equalitytribunal.ie/index.asp?locID=2&docID=-1>

⁴³ http://www.lrc.ie/docs/Rights_Commissioner_Service__Information_about_the_service/234.htm

⁴⁴ <http://www.entemp.ie/publications/employment/2007/guidetolabourlaw07.pdf>

⁴⁵ http://www.eatribunal.ie/en/about_legislation.aspx

⁴⁶ <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/Committees29thDail/JustEquDefWomRgts-Select.htm>
<http://www.oireachtas.ie/viewdoc.asp?fn=/documents/Committees29thDail/JustEquDefWomRgts.htm>

Gender Equality Monitoring Committee: established in 1993 to oversee implementation of the recommendations of the Second Committee, with its remit broadened to include monitoring the implementation of the Beijing Platform for Action. Produced 3 reports (1994, 1996 and 1999). By 1999, the committee decided to pursue a new agenda and on the advice of the committee the Department of Justice commissioned research into the development of mechanisms to monitor progress. The committee proposed that the best way to move forward would be to draw up a National Plan for Women.⁴⁷

Answering the following list of questions may require mention of any or all of these types of institution: some apply to one kind more than another.

The nature of the institution

- Is there gender machinery that meets the minimum legal requirements of the EU? YES
 - A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex: Yes
 - providing independent assistance to victims of discrimination in pursuing their complaints about discrimination; Yes
 - conducting independent surveys concerning discrimination; Yes
 - publishing independent reports and Yes
 - making recommendations on any issue relating to such discrimination. Yes, all The Equality Authority

- Is there gender machinery that meets the 'Paris Principles'?
 - independence guaranteed by a constitutional or legislative framework, autonomy from government, Yes, the Equality Authority
 - pluralism including pluralism of composition, Yes, the Equality Authority, though the board does not comprise representatives for every strand.
 - a broad mandate, Yes.
 - adequate powers of investigation, Yes, though the question seems to be whether powers are fully utilised.
 - sufficient resources Not sure

Is there gender machinery that meets the further requirements of the UN Platform for Action? responsibility vested at the level of a Cabinet minister.

There is a cabinet Minister for Justice, Equality and Law Reform but not with a specific role in relation to gender.

According to the NWCI (2002)⁴⁸, the Gender Equality Unit within the Department of Justice, Equality and Law Reform lacks sufficient power to ensure the compliance of other government departments with equality measures. It would seem that there is still a need for the government to implement one of recommendations made by the NWCI in 2002, to:

Establish a comprehensive gender equality monitoring mechanism which would include:

- A Minister at Cabinet level acting as chair
- Full participation of senior civil servants with responsibility and authority for implementation of Government policy
- Formal links to key mainstream agencies and other relevant bodies
- Specific targets, indicators and review procedures for progressing and measuring gender equality.

⁴⁷ www.gendernet.at

⁴⁸ <http://www.nwci.ie/publications/submissions>

Develop indicators and statistics to monitor policy

In the National Women's Strategy⁴⁹ reference is made to targets and indicators yet the terms are used inconsistently. Actual setting of concrete targets is often merely deferred until a later date and (somewhat vague) 'aims' are sometimes used as substitute for indicators.

Gender Balance on State Boards: government's stated commitment to achieving 40% representation of women on state boards.⁵⁰

The Gender Equality Unit (2000-06) produced a report 'Women and men in Ireland: facts and figures'⁵¹ to provide information on the relative position of men and women across different fields. The report explicitly states the importance of the development of gender disaggregated data in assessing gender mainstreaming.

The Gender Equality Unit also commissioned indicator research based on an earlier report by Yvonne Galligan (2000) which had produced a comprehensive set of 180 potential 'ideal' indicators across 12 areas (including, women and poverty, violence against women, and education and training).⁵² The research report ('Indicator research based on 'The development of mechanisms to monitor progress in achieving gender equality in Ireland', 2004⁵³) identified a total of 45 indicators from the Galligan report based on the availability of data, and national and international commitments.

(It seems that the opportunity to use this data has not been fully utilised, e.g. in the NWS).

Other work by this Unit also made recommendations in relation to statistics and indicators (e.g. research into the gaps existing in information on women in agriculture⁵⁴).

- How close to the Prime Minister is the governmental machinery located?
 - PM's office
 - Other powerful department.
 - Other department

Other department: Department of Justice, Equality and Law Reform.

- Would any of the bodies be described as following a feminist agenda?
 - Briefly explain the reasoning behind your answer.
 - If yes, then which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation)

The salience of gender (in)equality within the Equality Authority – as assessed via website- seems low. It seems difficult to identify a clear and comprehensive feminist agenda in amongst the work of the Authority whose remit stretches across 9 grounds and the Authority's statements tend to be (too) more 'general' with reference to pursuing 'equality' rather than with a focus on particular strands. In its current strategy plan⁵⁵ however, there is some direct reference to its aims with regard to gender (e.g. to support greater economic independence amongst women).

The DJELR has gender equality as one element of its responsibility ('gender equality division'). The department describes its work in this area as follows:

The Gender Equality Division has responsibility for:

- fostering the achievement of true equality between women and men in Ireland
- implementing specific commitments in the Programme for Government on gender equality
- monitoring national and international commitments on gender equality
- reporting on gender equality issues for which other Government Departments and State agencies are responsible⁵⁶

It is difficult to assess whether the department's agenda could be described as 'feminist'. From research so far, would say that the department follows equality as equal treatment despite its statement of gender mainstreaming, but work conducted by the Gender Equality Unit seems more

⁴⁹ <http://www.justice.ie/en/JELR/NWS2007-2016en.pdf/Files/NWS2007-2016en.pdf>

⁵⁰ <http://www.justice.ie/en/JELR/Pages/WP07000562>

⁵¹ http://www.ndpgenderequality.ie/publications/reports/publications_18.html

⁵² http://www.ndpgenderequality.ie/downloads/Fitzpatrick_Associates/MAIN_REPORT.pdf

⁵³ http://www.ndpgenderequality.ie/downloads/Fitzpatrick_Associates/MAIN_REPORT.pdf

⁵⁴ http://www.ndpgenderequality.ie/publications/reports/publications_12.html

⁵⁵ Strategic Plan 2006-08 The Equality Authority: <http://www.equality.ie/index.asp?locID=106&docID=513>

⁵⁶ <http://www.justice.ie/en/JELR/Pages/WP07000059>

strongly feminist in its agenda- though it is questionable how far its work has had an impact when reading the National Women's Strategy. In other words, while there are feminist 'pockets' these seem relatively isolated.

Looking at the State and semi-state agencies overall, a mixed and uneven picture emerges, from anti-feminist elements (re abortion and divorce legislation which are sidelined out of any discussions of equality issues), to feminism promoted by isolated groups which at times tends towards a view of gender equality as 'equal valuation of difference'.

Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?

Yes, as follows:

A Task Force on Domestic Violence focusing on domestic violence, rape and sexual assault was established in 1996. In response to the report of the task force a National Steering Committee on Violence Against Women was set up in 1997 comprising government departments and agencies together with representatives from NGOs.⁵⁷

Recently announced: COSC- The Irish Office for the Prevention of Domestic Violence⁵⁸ within the Department of Justice, Equality and Law Reform.

Office of the Minister for Children, part of the Department of Health and Children, set up in 2005. Minister for Children attends all cabinet meetings. One of the key roles of the OMC is to implement the National Childcare Investment Programme (2006-10),⁵⁹ a major programme of investment in childcare infrastructure. €575 million has been allocated to the 5-year programme, including €358 million for capital investment. It is proposed that the programme will create up to 50,000 new childcare places.⁶⁰ It is stated that the programme will develop quality childcare supports and services, delivered at local level through the City and County Childcare Committees (33 committees were set up in 2001 to encourage the development of childcare locally.⁶¹

Office for Social Inclusion. Office located in the Department of Social and Family Affairs.⁶² It has overall responsibility for developing, co-ordinating and driving Ireland's [National Action Plan for Social Inclusion 2007 - 2016](#).

National Co-ordinating Childcare Committee. A working group in the Department of Health and Children comprising of government ministers (Office of Minister for Children), representatives of trade union and employer bodies, NGOs, educational groups and county councils.⁶³

Semi-state / state sponsored bodies:

The Women's Health Council

A statutory body set up in 1997 to advise the Minister for Health and Children on all aspects of women's health.⁶⁴

Crisis Pregnancy Agency

The Crisis Pregnancy Agency (CPA) is a planning and co-ordinating body established to formulate and implement a strategy to address the issue of crisis (unwanted) pregnancy in Ireland (where

⁵⁷ <http://www.justice.ie/en/JELR/Pages/WP07000027>

⁵⁸ See NWCI criticism of the announcement of this office, which excludes NGO expertise in the area of violence against women.

⁵⁹ <http://www.omc.gov.ie/viewdoc.asp?fn=%2Fdocuments%2FAboutus%2Fintro.htm&mn=aboe&nID=1>

⁶⁰ <http://www.omc.gov.ie/viewdoc.asp?fn=%2Fdocuments%2Fchildcare%2FNationalChildcareInvestmentProgramme2006.htm&mn=chiy&nID=2>

⁶¹ <http://www.omc.gov.ie/viewdoc.asp?fn=%2Fdocuments%2Fchildcare%2FCityCountyChildcareCommittee.htm&mn=chiy&nID=6>

⁶² <http://www.socialinclusion.ie/index.html>

⁶³ http://www.dohc.ie/working_groups/nccc/

⁶⁴ <http://www.whc.ie./about/index.html>

abortion is illegal). It was established in October 2001 and published the first Strategy to Address the Issue of Crisis Pregnancy in November 2003.⁶⁵

Irish Human Rights Commission

The Irish Human Rights Commission (IHRC)⁶⁶ is an independent statutory body which was established under the Human Rights Commission Acts 2000 and 2001,⁶⁷ as a requirement of the Northern Ireland Peace Agreement ('Good Friday Agreement') (1998 :19).⁶⁸ The work of the Commission includes: producing a shadow CEDAW report; lobbying on the issue of prostitution and trafficking; work on disability and racism; as well as engagement in casework involving cross-cutting strand issues.⁶⁹

National Disability Authority (established under Act of 1999⁷⁰)

The National Disability Authority⁷¹ (NDA) is an independent statutory agency established under the aegis of the Department of Justice, Equality & Law Reform by the National Disability Authority Act 1999, came into operation in 2000.

Retained separate authority for disability, see bill 1998⁷². The NDA replaced the National Rehabilitation Board (and there was a shift in model of disability used, from medical to social).

The NDA recently commissioned research to explore intersection of gender and disability: 'Exploring the research and policy gaps: a review of literature on women and disability' (2007)

<http://www.nda.ie/cntmgmtnew.nsf/0/BF3A14B644017A648025729D0051DD2B?OpenDocument>

Combat Poverty Agency (established under the Act of 1986⁷³).

National Council on Ageing and Older People (statutory body with independent status, established 1997 as successor to the National Council for the Elderly, and prior to this, the National Council for the Aged).⁷⁴

Pobal⁷⁵ Supporting Communities

Pobal aims to promote social inclusion reconciliation and equality through social and economic development within communities. It is a not-for-profit company with charitable status managing programmes for the Irish government and the EU (formerly Area Development Management).

Also, partnership of state departments / agencies and NGO sector in the National Consultative Committee on Racism and Interculturalism⁷⁶ (established 1998) which emerged as one of the Irish initiatives taken as a result of European Year Against Racism in 1997 and its perceived success led to its continuation (receives core funding from Department for Justice, Equality and Law Reform).

In practice therefore, while Ireland has a single equality body it appears to work in close partnership with the various strand specific semi-state organisations which conduct research, provide information, and fulfil an advisory policy role.

[Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?](#)

YES See above: Employment tribunals.

⁶⁵ <http://www.crisispregnancy.ie/>

⁶⁶ <http://www.ihrc.ie/home/default.asp>

⁶⁷ http://www.ihrc.ie/legal_documents/l1_ihrcacts.asp#hrca2000

⁶⁸ http://www.ihrc.ie/_fileupload/publications/Belfast-Agreement.pdf

⁶⁹ IHRC Annual Report 2004: http://www.ihrc.ie/_fileupload/banners/AnnualReport2004ENG.pdf

⁷⁰ <http://www.oireachtas.ie/documents/bills28/acts/1999/a1499.pdf>

⁷¹ <http://www.nda.ie/cntmgmtnew.nsf/aboutushomepage?OpenPage>

⁷² <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/bills/1998/6698/document1.htm>

⁷³ <http://www.cpa.ie/aboutus/CombatPovertyAgencyAct1986.pdf>

⁷⁴ <http://www.ncaop.ie/who.html>

⁷⁵ <http://www.pobal.ie/>

⁷⁶ <http://www.nccri.ie/nccri-background.html>

Dedicated to gender or integrated with other equalities?

Is the gender equality body (enforcement or monitoring agency) integrated with machinery for other equalities issues (if so which) or for human rights?

Yes

If yes,

When did this happen?

Single equalities body, established in 1998 under 1997 Act, which does not include human rights as part of its remit.

The Equality Authority is a single body with remit across the nine grounds of gender, marital status, family status, age, race, religion, disability, sexual orientation, and membership of Traveller community⁷⁷. The authority was established in 1999 under the 1998 Employment Equality Act⁷⁸ and replaced (and extended) the previous Employment Equality Agency (for gender only) which was set up under the 1977 Act.

Was the change controversial (who fought whom, allied to whom)?

From the evidence available (parliamentary debates⁷⁹), the change did seem controversial e.g. there were concerns about gender becoming overshadowed, disability, and there was also a lot of debate over the treatment of religion.

Is the division of responsibilities by function or by strand?

In the Equality Authority there is a division of responsibility by function.

The organisation of the authority: The Board of the Equality Authority, the Chief Executive Officer, and five sections: administration, communications, development, research, and legal section and legal advisor.⁸⁰

However, the first annual report of the Equality Authority describes their work as operating across three levels which includes a focus on specific grounds:

- 1) focus simultaneously on equality work across all 9 grounds
- 2) particular focus on specific grounds
- 3) focus that recognises multiple identities.⁸¹

A brief review of recent research publications by the Equality Authority appears to show less attention to gender than other inequalities, with some exceptions.

A report on 'Equality at Work?' (2005)⁸² looking at flexible working pays relatively little attention to gender, although a report on 'Caring, working and public policy (2004)'⁸³ does focus more on the position of women in Ireland and earlier publications attends to gender in the context of multiple and intersecting inequalities ('Re-thinking identity: the challenge of diversity'⁸⁴ and 'Poverty and inequality'⁸⁵).

Is there a separate mechanism for consulting civil society by strand, including women?

In Ireland there are various mechanisms for routinised consultation with civil society: the National Women's Council for Ireland and the National Economic and Social Forum (see below)

Does the equality body actively engage with the issue of intersecting inequalities (e.g. gender and ethnicity, gender and disability)? If yes, please specify the intersections that are taken into account.

Yes. The Equality Authority has attended to the dynamics of multiple inequalities⁸⁶, the intersection of ethnicity with disability⁸⁷ and between gender and ethnicity.⁸⁸

⁷⁷ <http://193.178.1.9/eng/index.asp?locID=17&docID=110>

⁷⁸ <http://www.oireachtas.ie/documents/bills28/acts/1998/a2198.pdf>

⁷⁹ <http://historical-debates.oireachtas.ie/S/0154/S.0154.199802120007.html>

<http://historical-debates.oireachtas.ie/S/0154/S.0154.199802260003.html>

<http://historical-debates.oireachtas.ie/S/0154/S.0154.199802260003.html>

⁸⁰ Freedom of Information Section 15 and 16 booklet, available at:

<http://193.178.1.9/eng/index.asp?locID=106&docID=57>

⁸¹ <http://www.equality.ie/index.asp?locID=136&docID=61>

⁸² <http://www.equality.ie/index.asp?locID=105&docID=269>

⁸³ <http://www.equality.ie/index.asp?locID=105&docID=83>

⁸⁴ <http://www.equality.ie/index.asp?locID=105&docID=75>

⁸⁵ <http://www.equality.ie/index.asp?locID=105&docID=51>

⁸⁶ <http://www.equality.ie/index.asp?locID=105&docID=75> Katherine Zappone (Ed.) (2003) *Re-thinking identity: the challenge of diversity*.

A recent report on Single Equality Bodies by O’Cinneide (2002)⁸⁹ also notes the outreach work of the authority at the intersection of age and sexual orientation and with Traveller women (gender and ethnicity).

If the gender equality body is not integrated with machinery for other equality issues, does the gender equality body and any other single strand equality body actively engage with the issue of intersecting inequalities? If yes, please specify the intersections that are taken into account by each of the equality bodies

N/A

Relationship of machinery with civil society

- Are there procedures for the consultation of women’s groups in civil society by the gender or equalities machinery? YES
 - If so, are they routinised or occasional?

Procedures for consultation are routinised through following institutions:

National Women’s Council of Ireland

Founded in 1973 as Council for Status of Women, renamed in 1995. The National Women’s Council of Ireland (NWCi) is an umbrella body which groups together approximately 160 NGOs⁹⁰ – acting as the national representative organisation of women. NWCi is the member organisation for Ireland of the European Women’s Lobby. It has sought to articulate a consensus view from members, initiated political campaigns for women’s rights, and has influenced government agenda and policies. It is considered an important part of the institutional framework.⁹¹

Resources: NWCi Core grant 2005 (Government Funding) 536,000 euros (61% of income).⁹²

National Economic and Social Forum

This forum was established in 1993 as a consultative body with members of the Oireachtas, the social partners (trade unions, employers and farming organisations), representatives of women’s organisations, the unemployed, disadvantaged and other groups who have been excluded from the consultation process. The forum aimed to establish consensus on social and economic issues and had a major focus on measures to tackle unemployment.

Recent reports of the organisation cover topics such as ‘Creating a more inclusive labour market (2006)’⁹³ which encompassed some exploration of the position of women. The NESF also convenes the National Anti-Poverty Strategy annual ‘Social inclusion forum’⁹⁴ (which included a workshop on women with presentations by member of NWCi and member of the Gender Equality Section of the Department of Justice, Equality and Law Reform).

This organisation, together with the National Economic and Social Council⁹⁵ and the National Centre for Partnership and Performance⁹⁶, now forms a part of the National Economic and Social Development Office⁹⁷ established under the NESDO Act (2006) whose function is to: ‘advise the Taoiseach on all strategic matters relevant to economic and social development in the State’.⁹⁸

⁸⁷ <http://www.equality.ie/index.asp?locID=105&docID=78> Maria Pierce (2003) *Minority ethnic people with disabilities in Ireland*.

⁸⁸ <http://www.equality.ie/index.asp?locID=106&docID=577> Jane Pillinger (2006) *An introduction to the situation and experience of women migrant workers in Ireland*.

⁸⁹ Colm O’Cinneide (2002) *A single equality body: lessons from abroad*. Manchester: The Equal Opportunities Commission.

⁹⁰ List of member organisations: http://www.nwci.ie/membership/alphabetical_members_list#N

⁹¹ Recent manifesto ‘What women want from the Next Irish Government’ (March 2007)

http://www.nwci.ie/publications/published_reports/what_women_want_from_the_next_irish_government_nwci_election_2007_manifesto

⁹² http://www.nwci.ie/publications/annual_reports

⁹³ <http://www.nesf.ie/dynamic/docs/No%2033%20Creating%20a%20More%20Inclusive%20Labour%20Market.pdf>

⁹⁴ <http://www.nesf.ie/inside.asp?catid=37&zoned=4&artid=83>

Attendance list for 2006 available at: <http://www.nesf.ie/dynamic/docs/Attendance%20List.pdf>

⁹⁵ <http://www.nesc.ie/>

⁹⁶ <http://www.ncpp.ie/>

⁹⁷ <http://www.nesdo.ie/>

⁹⁸ <http://www.nesdo.ie/about/nesdoact2006.pdf>

(Also, the role of state agencies in advising on policy).

4. Policy summary questions

4.1 Non-employment

Is the tax system household based or individualised?

Not fully individualised (choice for couples to make separate and independent claims)?⁹⁹

Is the benefit system household based or individualised?

Household based

How long is it legitimate for lone parents not to be in paid work? (i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops).

One parent family payment up until child is 18 years or 18-22 if in full time education.¹⁰⁰

Are there *active* labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, includes training and job placement schemes) for lone parents?

Yes, Back to Work allowance scheme.¹⁰¹

Are there active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market?

Yes, Back to Work allowance scheme.

What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)

- Childcare: care (under 3 years)
- Childcare: pre-primary education (3 yrs- school age)

It is difficult to find a clear statement of commitment to level of provision, instead the government documents tend to refer to number of childcare places being created under various initiatives. The Citizens' information website states that: 'There is very limited public provision for early childhood education.'¹⁰²

According to the National Childcare Strategy 2006-10, the government is proposing to create a further 50,000 childcare places. In 2006, the government also introduced the early childcare supplement (€1000 over a full year) to help parents with the cost of caring for young children under 6 years.¹⁰³

What is the predominant form of childcare provision? i.e. public, private or mixed.

Predominantly private provision.

How is childcare financed (e.g. by public funds, privately or mixed)?

Mixed. (Early childcare supplement introduced in 2006 budget).

Is the pension age the same for women and men? If so, since when?

Yes, the official pension age (and has been) the same: State Pension is payable to people in Ireland from the age of 66. The retirement (from 65 years) and old age contributory pensions (from age 66) are based on an individual's social insurance record and the year in which they reach pension age (with the number of contributions that are required being gradually increased up until 2012).^{104 105}

⁹⁹ http://www.citizensinformation.ie/categories/money-and-tax/tax/income-tax/taxation_of_married_people_in_ireland

¹⁰⁰ http://www.citizensinformation.ie/categories/social-welfare/social-welfare-payments/social-welfare-payments-to-families-and-children/one_parent_family_payment

¹⁰¹ http://www.citizensinformation.ie/categories/social-welfare/social-welfare-payments/social-welfare-payments-and-work/back_to_work_allow

¹⁰² http://www.citizensinformation.ie/categories/education/pre-school-education-and-childcare/early_childhood_education

¹⁰³ http://www.omc.gov.ie/documents/childcare/childcare_parents.pdf

¹⁰⁴ <http://www.welfare.ie/publications/sw18.pdf>

¹⁰⁵ <http://www.oecd.org/dataoecd/12/23/34561950.pdf>

One of the major changes regarding gender was the introduction of the Homemaker's Scheme in 1994 which means that time spent out of employment caring for a child or incapacitated adult may be disregarded for state (contributory) pension purposes.¹⁰⁶ Legislation specifying equal treatment between men and women in occupational benefit schemes was passed 1990 (see the Pensions Act 1990, section VII Equal Treatment¹⁰⁷).

4.2 Intimate citizenship

Is abortion legal?

No

Up to which week of pregnancy is abortion legal?

n/a

Are there any other conditions? If so, what are these (e.g. consent of doctor/s, counselling)? n/a

How many abortions are carried out per year (select most recent year where data available. If illegal, approximately how many women travel to access abortion services in another country?)

Women providing Irish addresses in UK clinics totalled 5042 in 2006, though the Crisis Pregnancy Agency¹⁰⁸ notes that women travel to other countries (including the Netherlands) to access abortion clinics.

Is a marriage a state based contract, religious contract or both?

Marriages can take place as a civil ceremony or a religious ceremony (with specified Churches in which a legally valid ceremony can take place: Roman Catholic, Church of Ireland, Presbyterian Church, Society of Friends, Jewish Communities, Other religions, excluding Muslim marriages which means that a Muslim religious ceremony alone cannot give rise to a legally binding marriage.

Is divorce legal and what are the conditions for divorcing (e.g. is mutual consent necessary / sufficient)?

Yes, divorce is legal. The conditions that must be met are that:

- The parties must have been living apart from one another for a period amounting to four out of the previous five years before the application is made.
- There must be no reasonable prospect of reconciliation.
- Proper arrangements must have been made or will be made for the spouse and any dependent members of the family such as children of either party and other relatives.¹⁰⁹

Are there any restrictions to marriage other than the gender of the partners (e.g. nationality, country of origin)?

No.

Are civil partnerships/civil unions/gay marriage legal?

NO

Ireland's government has announced that legislation legalizing civil unions for same-sex and heterosexual couples will be introduced by March 2008. In 2006, the Civil Unions Bill 2006 state that the legislation will provide gay couples with unions legally equivalent to marriage, akin to the Civil Partnership Act in the United Kingdom.

Ireland's Labour party introduced the bill in February 2006, but the government postponed it due to questions about whether it contradicted the Irish constitution. This bill includes requirements for pensions, inheritance, next-of-kin status and gay adoption (only married couples have the right to adopt).¹¹⁰ Civil unions are not to be equated to marriage, Justice, Equity and Law Reform Minister Brian Lenihan has said that same-sex couples will be granted rights to civil unions, but gay marriage is not an option.

¹⁰⁶ <http://www.welfare.ie/publications/sw1.html>

¹⁰⁷ <http://www.irishstatutebook.ie/1990/en/act/pub/0025/index.html>

¹⁰⁸ <http://www.crisispregnancy.ie/pressrelease.php?id=58>

¹⁰⁹ <http://www.citizensinformation.ie/categories/birth-family-relationships/problems-in-marriages-and-relationships/separation-and-divorce/divorce>

¹¹⁰ <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/bills/2006/6806/document1.htm>

If so, are the legal rights the same as for heterosexual marriage? Consider the following (Yes/no+year when introduced):

Does it extend to:

- survivors' benefits in pensions? N/A
- adoption rights? N/A
- parental leave? N/A
- assisted reproduction? N/A

Irish legislation dealing with assisted reproduction and medical council guidelines do not specifically prevent unmarried partners or same-sex couples accessing fertility treatment. However, in practice, according to the Citizen's information website, Irish clinics generally refuse same-sex couples and it has not yet been decided in an Irish court whether this constitutes discrimination.¹¹¹

- Family reunification – have partners the right to settle and be employed in the country where their partners live?
N/A . However, civil partnerships registered abroad are recognised by Irish legislation.¹¹²
- Number of registered civil partnerships, annually and in total? N/A

4.3 Gender-based violence

Has there been a national survey on gender based violence? When was the most recent one carried out?

YES

In 2005, the National Crime Council (NCC), in association with the Economic and Social Research Institute (ESRI), published the first ever large scale study undertaken to give an overview of the nature, extent and impact of domestic abuse against women and men in intimate partner relationships in Ireland.¹¹³

The Sexual Abuse and Violence in Ireland (SAVI) Report (2002) and the 2005 SAVI revisited.

Does it include:

- Domestic violence and violence in partnerships?
YES (Both SAVI and National Crime Council studies)¹¹⁴
- Sexual assault/violence and rape?
YES, (SAVI, National Crime Council yes only in intimate partnerships)
- Sexual harassment and stalking?
YES, (SAVI)
- Trafficking and prostitution?
PROSTITUTION, (SAVI)
- Forced marriage, honour crimes and FGM?
NO

4.3.1 Domestic violence

What (civil law) legal devices are available to prevent domestic violence? Do they target perpetrators and/or victims? (Yes/no+year when introduced). Devices could for instance include:

- restraining orders – not sure whether orders are equivalent or not, see section "Other" below
- non-molestation orders not sure whether orders are equivalent or not, see section "Other" below
- occupation orders not sure whether orders are equivalent or not, see section "Other" below
- state funded perpetrator programs

YES: MOVE Ireland, had 12 programmes running in 2003. State funded. The South East Domestic Violence Intervention Project comprises four independent groups running several perpetrator programmes.

¹¹¹ http://www.citizensinformation.ie/categories/birth-family-relationships/family-and-relationships/same-sex-couples/fertility_services_and_same_sex_couples

¹¹² <http://www.glen.ie/press/docs/PressRelease040506.doc>

¹¹³ <http://www.irlgov.ie/crimecouncil/documents/Press%20Release%20July%202005.rtf>

¹¹⁴ National Crime Council (NCC), in association with the Economic and Social Research Institute (ESRI),

- other devices?
 - Proactive arrest (1996/1997): arrest does not require victim's cooperation or consent.
 - Barring Order: the complete exclusion of a respondent (the violent person) from the family home for a specified length of time, up to a maximum of three years
 - Safety Order prohibits the respondent from using or threatening to use violence against the applicant or any dependent person. Unlike a Barring Order, the respondent is not required to leave the family home under a Safety Order.
 - Protection order: while an applicant is waiting for the Court to decide on an application for a Barring Order or a Safety Order, an immediate order can be granted by the court until a decision has been made.
 - Interim barring order: Interim Barring Orders are granted on an ex parte basis, this means that the applicant does not have to inform the respondent that an application has been made and the respondent does not have to be present in Court for the order to be granted

What is the prevalence of domestic violence against women, in one year? (from the survey)

Severe domestic abuse: 15% of women, 6% of men (2005 Survey)

Severe & minor abuse: 29% of women, 26% of men (49% of the women were Traveller women, who account for 0.2% of the Irish population).

What is the life time prevalence of domestic violence against women? (from the survey)

N/A

What is the number of incidents of domestic violence reported to the police (annual)? (If not available, say so)

8452 incidents (Garda, 2003).

23 incidents/day (Garda 2005);

What is the number of domestic violence convictions in the courts? (If not available say so)

650 (2003)

Police/Garda Recorded Domestic Violence Incidents 2003

Figures of Domestic Violence Incidents					
Year	Incidents	Arrests	Persons Charged	Persons Convicted	Attrition rate %
1995	3,986	850	527	455	11.4
1996	4,645	860	725	506	10.9
1997	4,184	1,135	947	673	16.1
1998	8,448	1,808	1,371	772	9.1
1999	10,110	1,730	1,501	991	9.8
2000	10,877	1,644	1,481	1,149	10.6
2001	9,983	1,890	1,783	1,286	12.9
2002	10,248	1,638	1,370	651	6.4
2003	8,452	1,418	1,203	650	7.7

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)? (if not available say so)

17% of incidents lead to arrest (2003)

46% of police arrests lead to convictions (2003)

4.3.2 Rape & Sexual assault

When was marital rape criminalized?

1990

What is the number of annually reported incidents to the police?

N/A

Prevalence: 6.4% raped as adults

What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)? (if not available say so)

There is no official statistics easily available. However, NGO Rape Crisis Centre reported that 143 of the 477 rape victims recorded in 2003, reported their attacks to the police, resulting in 27 defendants tried and 18 convicted.

What is required for an act to be considered to be rape, e.g.:

Lack of consent (since when)?

YES, 1981

Section 2 of the Criminal Law (Rape) Act, 1981 provides for the offence of rape which is Sexual intercourse by a man with a woman who does not consent to it. This definition makes it impossible for a man to be raped. In 1990 rape under Section 4 of Criminal Law (Rape) (Amendment) Act was amended to include men as victims of rape.

physical resistance? (since when)

Other?

--

4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the European convention on human trafficking (date)

Yes, April 13 2007. Signed, yet not ratified.

Is trafficking primarily seen as a problem of the sending or the receiving country?

RECIEVEING – but not perceived of as a real problem apart from by some dedicated NGOs and politicians with experience.

Are women victims of trafficking, when identified as such, given temporary/permanent residence permits? How long? (date)

Yes, since the signing of the Council of Europe Convention on Action against Trafficking in Human Beings April 13 2007.

The Convention makes the following provisions for the treatment of victims.

Where there are reasonable grounds to believe that a person is a victim of trafficking, they will be entitled to a recovery and reflection period of at least 30 days (Art 13) and;

Victims will be granted residence permits where it is considered by the Irish authorities that their stay is necessary for the purpose of their co-operation in an investigation or criminal proceedings or both (Art 14).

When enacted, the new Criminal Law (Trafficking in Persons and Sexual Offences) Bill, being drafted by the Office of the Parliamentary Counsel, will ensure that Ireland is fully compliant with the Convention. The needs of victims will be addressed through the framework of the forthcoming Immigration, Residence and Protection Bill.

4.3.4 Intersections

Have specialised policies and practices in relation to gender-based violence in minority communities been developed by:

- Police YES, extensive
- NGOs YES
- Local Authorities / government YES
- Other -

4.3.5 Service provision

Are there refuges and/or sexual assault centres?

YES

How many are there?

Domestic violence support centres: 24 funded in part by the Government
Rape crisis centres: 18, funded in part by the Government

When was the first set up?

1974 domestic violence

Are they state funded, to what extent?

Partly state funded, not to any substantial extent/

CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING

5. Political system

5.1 On what state level are policy decisions made (e.g. national, federal, provincial, local)?

National

5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?

Since 1987 there have been social partnership agreements between the Irish government, the Irish Congress of Trade Unions (ICTU), employers' and business representatives, the farming pillar, and the voluntary and community sector (included for the first time in negotiation on Partnership 2000 (the agreement covering the period 1997-2000)).

Are there legally binding decision making processes similar to the EU Social Partners Framework agreements (e.g. as the Parental Leave Directive)?

Yes, the agreements on wage levels appear to be legally binding, but unsure as to the nature of other dimensions of the agreements. The National Implementation Body monitors the agreement and intervenes in the event of major disputes. Several legally binding collective bargaining through the period 1990-2002. Most recent legally binding social partners agreement in 2005 as a result of a major dispute between Irish Ferries and the trade unions.¹¹⁵

Could the political system be described as corporatist or neocorporatist, where hierarchically ordered trade unions and/or employer and/or other civil society organisations are institutionally incorporated in policy making?

Not in the traditional sense of the concept.

The concept of 'competitive corporatism'¹¹⁶ has been used to conceptualise the Irish political system, suggesting that a policy making process of social partnerships or concertation is in place, whereas the interest group structure generally associated with corporatist systems (monopolistic, centralised, hierarchal, internally un-democratic) is not.¹¹⁷ In addition, Ireland has one of OECD's lowest levels of social expenditure. Further, in competitive corporatist systems, as opposed to social corporatist systems, the overriding imperative is to enhance and/or maintain competitiveness, rather than pursuing policies for social inclusion/integration (Aust, 2006).¹¹⁸ To a certain extent, Trade unions are organised in accordance to corporatist patterns; The Irish Congress of Trade Unions (the Central authority for the Irish Trade Union Movement) represents Trade Unions in national economic and social partnership, e.g. ETUC, ILO. ICTU represents 97% (about 595,000) of the trade union members and includes both the private and state sector. The 2 biggest unions comprise about 45% of total affiliated membership.

¹¹⁵ <http://www.eurofound.europa.eu/eiro/2006/04/articles/ie0604059i.html>

¹¹⁶ "Competitive corporatism" combines a "search for elaborate equity-based compromises and trade-offs" with "new market-conforming policy mixes" (Rhodes 2001 pg.165-6; quoted in Traxler F. (2004) "The metamorphoses of corporatism: From classical to lean patterns." *European Journal of Political Research*, 43, 571-598.

¹¹⁷ Baccaro, Lucio (2003) "What is alive and dead in the theory of corporatism". *British Journal of Industrial Relations*, vol. 41(4) pp. 683-706. December 2003. Blackwell. see also Hardiman Niamh (2006) "Partnership and Politics: How Embedded is Social Partnership?" Politics Department UCD. Belfield, Dublin 4.

¹¹⁸ Aust, Andreas (2004) The Celtic Tiger and its beneficiaries. Competitive Corporatism In Ireland. <http://www.esssex.ac.uk/ecpr/events/jointsessions/paperarchive/mannheim/w19/Aust-Eire.PDF>

There is an established practice of government and social partners consultations, and these consultations are often widened to include an additional two sets of actors (in addition to Government & Social Partners) agricultural organizations and the community platform.

What is the gender composition of any existing agreements made by the social partners?

Most recent social partnership agreement: 'Towards 2016' does include statements in relation to the need for action on gender equality but at the same time tends to defer detailed discussion by referring to the forthcoming National Women's Strategy.¹¹⁹

The previous agreement (Sustaining Progress) was not signed by the National Women's Council of Ireland.

Overall, representation of women is low (e.g. see figures on women in leadership positions in Trade Unions, below).

5.3 In which policy environment (ministry) is a decision on the issue made

(for each area: general gender equality policies; non-employment; intimate citizenship; gender-based violence)?

General gender equality policy: Department of Justice, Equality and Law Reform (Equality Acts)

Non-employment: Department of Social and Family Affairs (e.g. One parent family benefit, early childcare supplement), Department of Justice, Equality and Law Reform (Parental Leave), Department of Health and Children: Office of the Minister for Children (Childcare strategy), Department of Finance.

Intimate citizenship: Department of Justice, Equality and Law Reform (domestic partnerships, pre-nuptial agreements, divorce), Department of Health and Children: Crisis Pregnancy Agency.

Gender-based violence: Department of Justice, Equality and Law Reform (e.g. Criminal Law Sexual Offences Act 2006).

5.4 Political cleavages

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

The state is not consociational.

What are the main existing salient political cleavages within the state, and on what dimension (e.g. language, region, religion, nationality)?

The main salient division (long-standing) is between travellers and settled population.

When, if at all, was CEDAW signed?

Ratified in December 1985 (and to the Optional Protocol in September 2000).¹²⁰

When did the country join the EU?

1973

6. Political Representation

6.1 The development of women's political representation, including:

Date of female suffrage¹²¹

1922

Note any caveats, e.g. age, property qualification, ethnicity, and when removed.

Property: restrictions lifted for men over 21 in 1918

Women's vote still restricted by property, and age 30. Lifted in 1922.

¹¹⁹ http://www.taoiseach.gov.ie/attached_files/Pdf%20files/Towards2016PartnershipAgreement.pdf

¹²⁰ <http://www.un.org/womenwatch/daw/cedaw/states.htm>

<http://www.un.org/womenwatch/daw/cedaw/protocol/sigop.htm>

¹²¹ See Inter-Parliamentary union (IPU) website: <http://www.ipu.org/wmn-e/world.htm>

Date of male suffrage

1918 all property restrictions lifted

Equal suffrage for women and men upon independence from the UK in 1922. In 1918, women at the age of 30 were given the right to vote, for men the age limit was 21. In addition to gender, property restrictions have been the main caveat limiting suffrage in Ireland

The women's movement in Ireland during 19th and early 20th century was dominated by the question of suffrage and links with the national independence movement

1832 Reform Act – extension of voting rights to adult males who rented land of a certain value, allowing 1/7 of UK males the right to vote

1867 Reform Act – enfranchised all male householders.

1884 Representation of the People Act 1884 – amended the 1867 Reform Act so voting rights would apply equally to the countryside. 60% of all males got voting rights. Included most working class men, but franchise still based on property qualification. Women were still disenfranchised

1894 Local Government Act gave women right to vote in local elections

1918 Representation of the people Act enfranchised women over the age of 30. Consequence of women's movement and World War I where women had been working in factories and elsewhere as part of the war effort. Property restrictions were lifted for men, who were given the right to vote when over 21. Women's votes were however given with property restrictions, and were limited to those over 30. Electorate raised from 7.7 million to 21.4 million, out of which 40 % were women. 7% of electorate had more than one vote

1922 Equal suffrage upon independence for Britain.

Use of quotas¹²²

When introduced

Not in Parliament

What form e.g. party, electoral, constitutional:

PARTY quotas since 1991 (Labour) and 1992 (Green party)

There are no quotas for parliament in Ireland.¹²³ Political parties have however introduced internal party quotas

Fianna Fail: the Republican Party In 2005 Fianna Fail adopted a 30% gender quota for internal party positions, with the target of selecting 1/3 female candidates for the next local elections 2008.¹²⁴

Fine Gael had a 33% target for women in local elections in the mid 1990's.

The Workers Party has a 40% quota for women on party lists since 1991. The party is not represented in parliament

Green Party (Comhaontas Glas) The party has a 40/60 gender balance among election candidates (1992). In order to qualify for 50% of the party funding within the Green Party, a 40/60 gender balance among election candidates must be attained.

Labour Party The Labour party has a 25% quota for women on party lists.

Sinn Fein has an internal party quota of 40% for women.

¹²² See IDEA: <http://www.idea.int/gender/index.cfm>

¹²³ About the two houses: The President is elected by popular vote to serve a 7-year term. In the Senate (Seanad Eireann), 49 members are elected by the universities and other candidates to serve 5-year terms and 11 members are nominated by the prime minister to serve 5-year terms. In the House of Representatives (Dail Eireann) 166 members are elected by popular vote on block lists by proportional representation to serve 5-year terms.

¹²⁴ IDEA <http://www.quotaproject.org/displayCountry.cfm?CountryCode=IE> updated in 2006-12-17

What is the numerical representation of women in parliament? (over QUING period)

Table 1: Dáil Éireann general election results by gender, 1918 to 2002¹²⁵

Election	Women	Men	% Women
1918	1	68	1
1921	6	122	5
1922	2	126	2
1923	5	148	3
June 1927	4	149	3
Sept. 1927	1	152	1
1932	2	151	1
1933	3	150	2
1937	2	136	1
1938	3	135	2
1943	3	135	2
1944	4	134	3
1948	5	142	3
1951	5	142	3
1954	5	142	3
1957	5	142	3
1961	3	141	2
1965	5	139	4
1969	3	141	2
1973	4	140	3
1977	6	142	4
1981	11	155	7
Feb. 1982	8	158	5
Nov. 1982	14	152	8
1987	14	152	8
1989	13	153	8
1992	20	146	12
1997	20	146	12
2002	22	143	13
2007	21	145	13 (12.7)

Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points? E.g. quotas, 1989.

Gradual and extremely slow increase. One major change by in the 1992 election when the representation of women increased from 8 to 12 %. The explanation for the increase is that the Labour Party increased its number of Parliamentary seats from 15 to 33, bringing a higher number of women representatives to Parliament. The current representation of women is 13%.¹²⁶

Other important developments

Women are substantially under-represented in public and political life in Ireland. The 1937 constitution confines women to the home by asserting that women's role at home is for the "common good," (Connelly, p. 19). Changes in Ireland's economic structure -> women more into political activism. The Commission on the Status of Women, formed in 1972, found that women comprised only one-quarter of the three central parties, Fianna Fail, Fine Gael, and the Labour Party, and had not yet held any

¹²⁵ <http://www.qub.ac.uk/cawp/Irishhtmls/TD2.htm>

¹²⁶ Ireland is, time after time, internationally criticised for the low proportion of women in not only politics, but in public life in general, and for the lack of representation of women's diversity. See for instance 2005 follow up to CEDAW report: <http://www.un.org/News/Press/docs/2005/wom1515.doc.htm> and UN Women's Anti discrimination Committee: <http://www.unis.unvienna.org/unis/pressrels/2005/wom1515.html>. The proportion of women civil servants is approximately 8% (Council of Europe, 2006 [http://www.venice.coe.int/docs/2006/CDL-UDT\(2006\)004-e.pdf](http://www.venice.coe.int/docs/2006/CDL-UDT(2006)004-e.pdf))

leadership positions within the parties. The Commission began to actively recruit women for political involvement,

1970-1990: one of the lowest rates of political activity in the EU (disempowerment of Irish women as citizens, women's commitments to their homes, lack of monetary autonomy, and lack of educational and occupational opportunities) (Galligan and Wilford, "Gender and Party Politics" p. 142) The two houses of parliament, the Dail (House of Representatives) and the Seanad (Senate), remained male-dominated throughout the 1970s with women accounting for only 3 percent of all members in an average Dail. By 1997 women experienced a slight increase, yet still accounted for fewer than 20 percent of all government positions. In that year, the number of women elected to the Dail and Seanad were 20 and 11 respectively. The 1997 statistics also show that women comprised 58 of the 291 senatorial candidates running, but only 19 out of the total 156 elected to office were women. (Galligan and Wilford, "Women's Political Representation in Ireland," pp. 130-33) In 1999, women's representation in the Dail and Seanad increased slightly to 22 and 11 respectively.

Since 1949, governmental responsibility has tended to alternate between the Fianna Fail and Fine Gael parties.

6.2 Political representation for intersecting inequalities:

Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament)

Class: male suffrage granted in stages. Property qualifications for men completely lifted in 1918

1832 Reform Act: extension of voting rights to adult males, who rented land of a certain value, allowing 1/7 of UK males the right to vote

1867 Reform Act: enfranchised all male householders.

1884 Representation

of the People Act: amended the 1867 Reform Act so voting rights would apply equally to the countryside. 60% of all males got voting rights. Included most working class men, but franchise still based on property qualification. Women were still disenfranchised

1918 Property restrictions were lifted for men, who were given the right to vote when over 21.

Ethnicity/religion (what exclusions and when; numerical representation in parliament)

No members of ethnic minorities in the lower House of Representatives, the Senate, or the Cabinet.

Other important intersecting inequalities, any quotas

-

6.3 Political parties and gender

Does women's political representation vary by Party; if so, do these Parties tend to represent different class, ethnic, religious or other interests?

Women's representation varies by party. Highest level of representation in the Labour Party (35%). In governmental parties (Fianna Fail and Greens) the representation is 9% and 17% respectively.

Politics in Ireland is not primarily characterized by a left-right divide, none of the two major parties, Fianna Fail and Fine Gael, *identify themselves* as centre-right or centre-left. Both of these parties grew out of the Sinn Fein at the time of the independence from the UK and 1922-1923 civil war. Fine Gael supported the Anglo-Irish Treaty, whereas Fianna Fail established itself as the anti-Treaty faction.

Table 2: Parliament/Dáil Éireann election results by gender and party 2007¹²⁷

Party	Women	Men	% Women	Ideology	EU Party
Fianna Fáil ¹²⁸	7	70	9	Conservative	AEN
Fine Gael	5	46	10	Republican	EPP (264)
Labour	7	13	35	Class	PES
Greens	1	5	17	Eco/fem	EGP
Sinn Fein	0	4	0	Nationalist	-
Progressive Dem	0	1	0		ELDR
Independent	1	5	17		Ind/EFA
Ceann Comhairle	0	1	0		-
Total	21	145	12.7		-
					-

Table 3: Parliament/Dáil Éireann election results and candidates by gender and party, 2002¹²⁹

Party	Women	Men	% Women	W. Cand.	M. Cand.	% W. Cand.
Fianna Fáil	7	74	9	13	93	12.3
Fine Gael	2	29	6	15	70	17.6
Labour	7	14	33	11	35	24
Progressive Dem.	4	4	50	6	14	30
Greens	0	0	0	9	22	29
Other ¹³⁰	2	23	8	30	146	
Total	22	144	13	84	380	18.1

Main European Political Parties

- European Peoples Party (EPP): Centre right Christian democrats and conservatives. The largest group in the European Parliament with 277 members.¹³¹
- Party of European Socialists (PES): Social democrats, democratic socialists. With 218 members the PES's socialist group is the second largest group in the.¹³²
- European Liberal Democrat and Reform Party (ELDR): Liberal democrats and centrists the ELDR is the third-largest political party represented.¹³³
- European Free Alliance (EFA): Pro devolutionists, independents¹³⁴
- European Green Party: Greens, ecologists, environmentalists¹³⁵

Party headquarters, over the objections of some MEPs

What is the current Party / Parties in Government:

Fianna Fail, but in need of the Greens for majority (election 2007)

With which European Parliament political group is this Party / Parties affiliated?¹³⁶

Union for Europe of the Nations Group

¹²⁷ <http://www.qub.ac.uk/cawp/Irishhtmls/TD1.htm>

¹²⁸ Fianna Fáil is a leading member of Union for Europe of the Nations, a small right-of-centre nationalist grouping. European political commentators have often noted substantive ideological differences between the party and its groupmates, whose strongly conservative stances have at times prompted domestic criticism of Fianna Fáil.

¹²⁹ <http://www.qub.ac.uk/cawp/Irishhtmls/TD1.htm>

¹³⁰ This category includes independents and parties who did not win a set in parliament, for instance the socialist party and Sinn Fein.

¹³¹ www.epp.eu

¹³² www.pes.org

¹³³ <http://www.eldr.org/>

¹³⁴ <http://www.e-f-a.org/>

¹³⁵ www.europeangreens.org

¹³⁶ See list Of EP political groups: http://www.europarl.europa.eu/groups/default_en.htm

What political party / parties have held office during 1995-2007?

1994-1997 Fine Gael, Labour, Democratic Left (Prime Minister: John Bruton) (EU: EPP-ED)

1997-2002 Fianna Fáil, Progressive Democrats (Prime Minister: Bertie Ahearn)

2002-2007 Fianna Fáil, Progressive Democrats (Prime Minister: Bertie Ahearn)

2007- current Fianna Fáil, Green, Progressive Democrats (Prime Minister: Bertie Ahearn)¹³⁷

6.4 Representation in government

What percentage of government Ministers are female?¹³⁸

22/166 = 13.25% members of parliament are women (2007 elections)

3/15 = 20% cabinet ministers are women¹³⁹

To which Ministries do female ministers belong?

4/30 = 13% ministers (including departmental ministers and ministers of state) are women

Department of Health and Children (Mary Harney)

Department of Agriculture, Fisheries and Food (Mary Coughlan)

Department of Education and Science (Mary Hanafin)

Minister of State with special responsibility for Forestry at the Department of Agriculture, Food and Fisheries (Mary Wallace) (no 'own' department)

¹³⁷ <http://www.electionsireland.org/results/general/index.cfm>

¹³⁸ See IPU: <http://www.ipu.org/wmn-e/world.htm>

¹³⁹ <http://www.taoiseach.gov.ie/index.asp?locID=237&docID=-1>

7. Civil Society

7.1 Gender

Is there one (or more than one) national organisation that coordinates feminist and women's organisations.

National organisation: National Women's Council of Ireland

If so,

is this the same as the body which is affiliated to the European Women's Lobby?

Yes

when was it established?

1973

how many organisations are affiliated to the national body?

167 affiliate organisations.

how many women are so coordinated?

Number of women represented - 300,000 (NWCI Annual Report 2005¹⁴⁰).

How many staff work for the organisation (how many paid, how many unpaid)?

The NWCI employs a professional staff of 11 people. In 2006, it also had six students on internships.¹⁴¹

What is its budget?

Total income 2006= € 799,927

69% core grant from government (Department for Justice, Equality and Law Reform).¹⁴²

What is its range of activities (are these in an annual report)?

Campaign, lobbying government, public demonstration, commissioning research, information provision. Major activities throughout 2006 (as detailed in annual report): requested participation in social partnership agreement and in the implementation of the National Women's Strategy; lobbying government on pension reform, individualisation of the social welfare system, and on childminders eligibility for social insurance contributions; launch of its report on health in Ireland in relation to meeting international standards; projects in the area of women's education; production of a women's manifesto; work in alliance with Gay and Lesbian Education Network (GLEN); publication about successful lobbying targeted at women's groups; and hosted a seminar on women in Afghanistan.

The annual report states that the work of the NWCI encompasses:

Representing women's issues on statutory and non-statutory bodies; commissioning research; developing policy submissions; building the capacity of women's organisations; undertaking outreach and development projects; networking; media work; and information dissemination.

Does the national body engage with all or only some of our 3 issues

Engages to greater or lesser degree across all three issues.

NWCI engages in the issue of non-employment e.g. lobbying government on social welfare reform and childcare policy.

Engaged in gender-based violence e.g. overseeing the Irish National Observatory on VAW, attending meetings of National Steering Committee on VAW, involvement in campaign against pornography, campaign against trafficking.

NWCI seems to have little engagement with the issue of abortion; more indirect (in sense that it doesn't appear to explicitly state its policy position) e.g. there is a NWCI representative in the Crisis Pregnancy Agency Expert Group (see Annual Report NWCI 2005). In 2006, the NWCI worked with GLEN to establish the KAL advocacy platform (to support two women in their struggle for legal recognition of their marriage in Ireland). The NWCI also supported the Immigrant Council in Ireland in their campaign on family reunification.

¹⁴⁰ http://www.nwci.ie/publications/annual_reports

¹⁴¹ http://www.nwci.ie/publications/annual_reports/nwci_annual_report_2006

¹⁴² http://www.nwci.ie/publications/annual_reports/nwci_annual_report_2006

Are there national coordinating organisations for feminist/women's activities in: employment/non-employment; gender based violence; and intimate citizenship (if so name them)?

Yes, there are national coordinating organisations across the three areas, a selection of the key ones are listed below:

Non-employment

Irish Childcare Policy Network¹⁴³

(established 2004, approximately 60 members, includes OPEN, National Childminding Association of Ireland, IPPA the early childhood organisation, and NWCI).

OPEN One Parent Exchange Network

Also, ITUC (trade unions, see class section).

Intimate citizenship

Abortion Reform (alliance of pro-choice groups)

Gay and Lesbian Equality Network

Gender based violence

The Rape Crisis Network Ireland

The National Network of Women's Refuges and Support Services

Irish National Observatory on Violence Against Women (EWL).

National Domestic Violence Intervention Agency

List the key women's / feminist civil society organisations and their main methods / activities

Women's Aid¹⁴⁴

- **Building autonomous institutions** Yes
- **Public protest e.g. demonstrations** No
- **Campaigning** Yes
- **lobbying state** Yes
- **service provision** Yes, main activity. Services for women who are being abused and provider of training.
- **research** Yes

Women's Aid in Ireland formed in 1974. A voluntary organisation which provides direct support services and information to women and their children who are experiencing male violence and abuse. Less than half the work of Women's Aid is government funded.

Rape Crisis Network Ireland¹⁴⁵

- **Building autonomous institutions** Yes
- **Public protest e.g. demonstrations** Yes
- **Campaigning** Yes
- **lobbying state** Yes
- **service provision** Yes
- **research** Limited

The Rape Crisis Network (RCNI) is a multi-member political and campaigning organisation committed to the elimination of all forms of sexual violence through effecting political, cultural and social change. Formed in 1985 when there were 6 Rape Crisis Centres in Ireland, now representing 16 RCCs.

One Family¹⁴⁶

- **Building autonomous institutions** No
- **Public protest e.g. demonstrations** No
- **Campaigning** Yes
- **lobbying state** Yes
- **service provision** Yes (support, education and information)
- **research** No

¹⁴³ <http://www.icpn.ie/docs/ICPN%20Policy.pdf>

¹⁴⁴ <http://www.womensaid.ie/>

¹⁴⁵ <http://www.rcni.ie/about.htm>

¹⁴⁶ <http://www.onefamily.ie/home.htm>

Formerly 'Cherish'. Established 1972. According to One Family annual report (2005)¹⁴⁷:

ONE FAMILY provides voice, support and action for one-parent families through membership, professional services and campaigning. Our aim is to affect positive change and achieve equality and social inclusion for all one-parent families in Ireland.

Supported by government Department of Justice, Equality and Law Reform and semi-state agencies (Combat Poverty Agency and Crisis Pregnancy Agency).

OPEN¹⁴⁸

- [Building autonomous institutions](#) No
- [Public protest e.g. demonstrations](#) No
- [Campaigning](#) Limited
- [lobbying state](#) Yes
- [service provision](#) Yes, support groups
- [research](#) Limited

A national network of local self-help lone parent groups established in 1994 with 8 groups, now numbering about 80. Policy focus for 2005-07 is on three areas: Housing and accommodation; Childcare; and Income adequacy.

Irish Family Planning Association¹⁴⁹

- [Building autonomous institutions](#) Yes
- [Public protest e.g. demonstrations](#) No?
- [Campaigning](#) Yes
- [lobbying state](#) Yes
- [service provision](#) Yes, main activity.
- [research](#) Limited

The IFPA (Irish Family Planning Association) is a national voluntary organisation for reproductive health and rights in Ireland, established in 1969. Offers a range of services to women and young people (counselling, information, education and medical) specifically designed to promote sexual health and to support reproductive choice.

Irish Council for Civil Liberties Women's Committee¹⁵⁰

- [Building autonomous institutions](#) No
- [Public protest e.g. demonstrations](#) Yes?
- [Campaigning](#) Yes
- [lobbying state](#) Yes, main activity
- [service provision](#) No
- [research](#) Limited

Established in 1997, a permanent standing committee of the ICCL. Campaigns on women's human rights issues and has engaged in a wide range of issues (including work on the development of gender guidelines for government bodies working in the asylum process, reporting to CEDAW committee).

Dublin Well Woman Centres¹⁵¹

- [Building autonomous institutions](#) Yes
- [Public protest e.g. demonstrations](#)
- [Campaigning](#) Yes, awareness raising
- [lobbying state](#) Yes
- [service provision](#) Yes: main activity
- [research](#) Yes

The Dublin Well Woman Centres were founded in 1978 to help Irish women access family planning advice and services. They now operate three medical centres, and influence public policy and

¹⁴⁷ <http://www.onefamily.ie/userfiles/File/Annual%20Report2005lo.pdf>

¹⁴⁸ <http://www.oneparent.ie/>

¹⁴⁹ <http://www.ifpa.ie/index.php>

¹⁵⁰ http://iccl.ie/DB_Data/issues/WomensRights_10001_WomensCommittee.htm

¹⁵¹ <http://www.wellwomancentre.ie/>

awareness by speaking out on women's health issues. Funding received from Crisis Pregnancy Agency and the Health Service Executive.¹⁵²

Gay and Lesbian Equality Network¹⁵³

- [Building autonomous institutions](#) No
- [Public protest e.g. demonstrations](#) Yes
- [Campaigning](#) Yes
- [lobbying state](#) Yes
- [service provision](#) No
- [research](#) Limited

GLEN was formed in 1988 with the support of lesbian and gay organisations that existed in Ireland at that time. The organisation focus is on influencing policy and on working strategically with mainstream organizations such as Government, regulatory authorities, trade unions and other social partners in order to achieve change. Current work focused on achieving civil unions / partnership legislation.

Women's committees in Trade Unions (see class section).

- [Building autonomous institutions](#) No
- [Public protest e.g. demonstrations](#) No
- [Campaigning](#) Yes
- [lobbying state](#) Yes
- [service provision](#) No
- [research](#) No

Women's Human Rights' Alliance¹⁵⁴

- [Building autonomous institutions](#) No
- [Public protest e.g. demonstrations](#) Yes
- [Campaigning](#) Yes
- [lobbying state](#) Yes
- [service provision](#) No
- [research](#) No

According to the NWCI annual report, due to a lack of funding the decision was made to close this company but the alliance will continue to function and the NWCI will continue to support the alliance. The Alliance was funded by the Irish government under the National Development Plan 2000-2006 and held a series of networking workshops with a focus on CEDAW, and generally worked to raise awareness of women's rights violations in Ireland. The coalition comprised NGOs that support the implementation of the UN Beijing Platform for Action and other international commitments on women's human rights.

- [Are they important or marginal to national politics?](#)
- [Are they centralised or dispersed?](#)

Assessing the importance of the groups to national politics is difficult. Overall, would say that they are of marginal importance, but significance seems to heighten at particular points- e.g. when there is pressure on political parties to engage with issues such as abortion and when new social partnership agreements are formed (with inclusion of 'community and voluntary pillar).

Extent to which organisations are centralised or dispersed tends to vary; some of the groups act as co-ordinators for smaller groups and centres (e.g. One Parent Exchange Network). Larger groups tending to be centred and hold activities in Dublin.

It is also possible to include the Irish Countrywomen's Association within this list of key organisations. This association has a large membership but is of less significance politically.

¹⁵² http://www.wellwomancentre.ie/docs/annualreport_06.pdf

¹⁵³ <http://www.glen.ie/about/about.html>

¹⁵⁴ According to the NWCI annual report, due to a lack of funding the decision was made to close this company but the alliance will continue to function and the NWCI will continue to support the alliance.

List the key anti-feminist organisations and their main methods/ activities?

Religious groups (generally anti-feminist, but with exceptions).

Lobbying – submissions to government and various activities making their influence significant.

Centralised and dispersed. Power of Roman Catholic Church as institutionalised.

Very important in national politics.

- Building autonomous institutions YES
- Public protest e.g. demonstrations -
- Campaigning - indirectly
- lobbying state YES
- service provision
- research no
 - Are they important or marginal to national politics? Very important
 - Are they centralised or dispersed? Both

National Men's Council of Ireland.

Involved in lobbying state (based on unfounded claims).

Could be described as part of 'backlash' against feminism.

Marginal.

- Building autonomous institutions NO
- Public protest e.g. demonstrations YES
- Campaigning - indirectly
- lobbying state YES
- service provision NO
- research NO
 - Are they important or marginal to national politics? Marginal
 - Are they centralised or dispersed? Dispersed

Pro-life groups

For instance Society for the Protection of Unborn Children). Public protests, lobbying, with connections to USA groups.

Important in national politics.

- Building autonomous institutions NO
- Public protest e.g. demonstrations YES
- Campaigning - YES
- lobbying state YES
- service provision NO
- research NO
- Are they important or marginal to national politics? important
 - Are they centralised or dispersed? Both

Are there any men's groups / organisations that are supportive of women's / feminist organisations?

No, there do not appear to be significant men's groups supportive of feminist/women's organisations..

What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?

The main distinguishing characteristics of organisations and projects seem to be centred on the following issues:

- Association with Catholicism
- **Whether feminist or not**
- **Whether supporting stay-at-home mothers**

- Whether or not a trade union group
- Whether use international frameworks / or local-national focus

[Do women's organisations actively engage with other intersecting inequalities \(in each area?\)](#)

Increasingly pursue diversity agenda. Possibly where there has been most active engagement is in the area of gender based violence.

(Examples: Pavee Point and gender-based violence,¹⁵⁵ NWCi and anti-racism work¹⁵⁶, trade unions and gender issues).

[Do they have good alliances with those representing other inequalities or not? \(in each area\)](#)

Yes, there do seem to be good alliances. Some of key alliances: Trade Unions and feminism, gender based violence and ethnicity, gender and ethnicity, gender-based violence and disability.

[Are there alliances between women's / feminist organisations and men's groups \(if these exist in your country\)?](#)

Not applicable,

[Are there many organisations of minoritised women? \(in each area\)](#)

Not many (with exception of organisation of women in Travellers' groups), though increasing.

[What links are there with international / bilateral / EU level bodies? \(in each area\)](#)

In general, international links have been of key importance in developing the agendas of women's groups in Ireland.

General gender equality policy

European Women's Lobby

International Alliance of Women¹⁵⁷

Non-Employment (see Trade Unions, class)

Intimate Citizenship

IFPA links with: International Planned Parenthood Federation; European NGOs for Sexual and Reproductive Health and Rights, Population and Development (EuroNGOs); United Nations Population Fund.

GLEN links with International Lesbian and Gay Association.

Gender-based violence

RCNI links with: Rape Crisis Network Europe.

[Is organised feminism engaged with the state, or does it follow an autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific tasks?](#)

- [Does this vary between issue areas? \(yes, below\)](#)
- [Has this changed over time? \(yes, below\)](#)
- [When engaging with the state is a coalition form of organising common or not? \(yes, below\)](#)

Over time, increased engagement of organised feminism with the state, though on some issues follows more autonomous agenda (in face of opposition or reluctance of state). Therefore, there is a temporal dimension to the degree of autonomy of organised feminism. For example, Women's Aid originated as autonomous, now receives some (less than half) of funding from state.

Overall, the more radical and explicitly feminist, the more autonomous the organisation is from the state and the less funding it receives.

In Ireland, state funded agencies seem important in taking forward, as far as possible, more feminist agenda within confines of what is possible (and legal). It is these organisations that seem to conduct (or commission) the most research for the state.

There is both coalition and individual engagement with the state (i.e. NGOs may make submissions individually or in alliance with other organisations).

¹⁵⁵ <http://www.paveepoint.ie/publications-gender.html>

¹⁵⁶ http://www.nwci.ie/our_work/social_and_cultural_equality/anti_racism

¹⁵⁷ <http://www.womenalliance.org/compos.html>

Does it make sense to talk of a 'women's movement' or not?

Briefly explain your answer.

It does make sense to refer to a 'women's movement' that is active continuously, though possibly the visibility of 'the movement' in Ireland only comes to the fore on issues such as abortion.

Find it difficult to respond to this question? Yes, having researched Ireland can see lots of feminist groups and activity, lobbying and campaigning. But likewise, in UK lots of activity across the issues, but frequently hear in media (and academia) how feminism is on the decline. Only when look more closely at the amount of work going on is it possible to realise the extent to which the women's movement is active.

Is there a tendency towards one of the three major visions of gender equality (sameness, equal valuation of difference, transformation)?

Non-employment: tends to be history of working towards equal valuation of difference (e.g. support of women's groups for recognition of care work in welfare system), but increasingly – and particularly amongst women's groups in trade unions, more towards equality via sameness.

Intimate citizenship: sexual orientation- vision of equality through sameness (via campaign for civil unions to achieve improved status- though not equivalent to- heterosexual married couples); divorce – sameness (equal rights); and abortion difficult to categorise.

Gender-based violence: vision of transformation.

Is there a preferred model of care work: support for a domestic regime or support for a public (state or market provision) regime?

In trade unions, there is pressure put on state to provide more public childcare.

However, in women's organisations there is more ambivalence towards public provision. This seems to be explained in large part by the predominance of the Catholic Church and its position on 'women in the home' (as written in the Constitution) and hesitance of NWC1 (which represents a wide variety of women's groups) to take a position- explicit and clear support for public provision- that would alienate some women's groups.

How closely aligned is feminism with social democracy?

Moderately, over the past couple of decades. The rise in women's rate of employment in Ireland and rise in their trade union membership has meant a closer alignment between feminism and social democracy.

Notes on the history of the development of gendered or feminist civil society organisations:

Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate?

Does this vary by 4 areas (general, employment, intimate citizenship, gender based violence)?

Historical background

Connolly (2003)¹⁵⁸ examines the patriarchal character of the State in the 1950's, stressing the opposition to married women's employment on the grounds of protecting male employment which took priority. She points to some exceptions, such as the debate concerning the exemption of primary school teachers on the grounds that women could continue to perform their duties in the home, the prohibitive cost of increasing training if married women teachers were banned from employment, as well as the perception that women were well-suited to this employment in terms of its 'moral' dimensions. Connolly (2003: 83) emphasises that the major reforms of the 1970s fundamentally altered the gendered basis of the Irish state in a relatively short period of time, arguing that the new reforms represented a 'paradigmatic shift in the state's policy response'.

Overall, the history of the women's movement is one of autonomy from the State, though becoming closer over recent years with the accession of Ireland to the EU in 1973, and the subsequent impact of EU Directives forcing the State to engage with gender. While there is now comprehensive equality legislation, the State remains in significant respects anti-feminist (e.g. abortion, reluctance to set targets on gender equality). Mahon (1987)¹⁵⁹ notes the external influence of the UN and a directive

¹⁵⁸ Connolly, Eileen. 2003. Durability and change in state gender systems. *The European Journal of Women's Studies* 10 (1):65-86.

¹⁵⁹ Mahon, Evelyn. 1987. Women's rights and Catholicism in Ireland. *New Left Review* 1 (166):53-77.

that had asked member governments to examine the status of women. Women's groups took the opportunity to demand a Commission on the Status of Women in Ireland, which was established in 1969.

In considering position of State and gendered civil society organisations, the strong influence of the Catholic Church in structuring the State and the Irish Constitution (as well as the ethos of some women's organisations) needs to be taken into account. While over time there has been a relative decline in the influence of the Catholic Church, it remains significant.

A further factor in considering the State and its position in relation to women's organisations in civil society is the rapid growth in economy that has taken place over the past twenty or so years which has meant pressure on the State to act in relation to, for example, public provision of childcare.

There also seems to have been a shift in Ireland's orientation, from a relatively insular inward looking orientation of the State (and women's organisations) to becoming more outward looking and influenced by international agendas.

Carney's (2002)¹⁶⁰ discussion highlights that the institutionalisation of gender mainstreaming within the Irish State over recent years, while still quite minimal, is a significant difference to the lack of attention to gender that previously characterised the State. She argues (2002: 18):

Gender mainstreaming represents a significant change in the policy and practice of the Irish state on gender issues, which were traditionally tackled with positive action measures and ad hoc legislation.

General gender+ equality policies

History of division between state and women's organisations, despite presence of routinised channel of communication between NWCI (state-funded) and the state, and the social partnership agreements in which the NWCI is involved.

Non-employment

Women's organisations and State relationship. State support for non-employment of women in the Constitution and women's organisations struggling to get the State to reform social security system so that periods of non-participation in labour market are not penalised- i.e. to secure recognition of the worth of women's labour in concrete terms.

Intimate citizenship

Impression that there is generally large gap between state and NGO feminist activists, but outside of central state, there is the presence of semi-state bodies such as Irish Human Rights Commission, which have a closer relationship to NGOs.

Gender-based violence

More autonomous but over recent years strong lobbying by feminist NGOs using international agreements (CEDAW) to prompt action. Though extent to which they have been able to take a monitoring role and hold the State accountable seems debateable (Reilly 2007).¹⁶¹

Is there a history of divisions as to: socialist, radical, liberal? Does this vary by 4 areas?

'Traditionally, the women's movement in Ireland has been rooted in liberal feminism. Feminists mobilising during the second wave of the 1970's pursued an agenda of equal rights within established structures (Galligan 1984: 54). This approach sought legal reform to deal with the separate issues of 'women' in various categories of Irish life.'(Carney 2002: 24)¹⁶²

Carney discusses the way in which gender mainstreaming has been adopted within the Irish state, seeing it as something of a watershed given Ireland's history. She also notes the importance of

¹⁶⁰ Carney, Gemma. 2002. Feminism, the women's movement and the internationalisation of gender equality policy: The case of 'gender mainstreaming'. *Irish Political Studies* 17 (2):17-34.

¹⁶¹ Reilly, Niamh. 2007. Linking local and global feminist advocacy: framing women's rights as human rights in the Republic of Ireland. *Women's Studies International Forum* 30 (7):114-133.

¹⁶² Carney, Gemma. 2002. Feminism, the women's movement and the internationalisation of gender equality policy: The case of 'gender mainstreaming'. *Irish Political Studies* 17 (2):17-34.

feminism at an international level, and the progress made, possibly outweighing that at a national domestic level.

History of divisions

Overall, dominance of liberal.

Non-employment

Difficulty in conceptualising here? How describe demand for economic recognition of women's unpaid work (not socialist, not liberal- this would mean access to equality in employment?) 'radical'- but conservative- and catholic.

Traditionally strong support for domestic regime whereby care provided by women in the home, not public (state or market provided).

Move over recent years towards public, but Constitution remains (as yet) unchanged.

But- not homogeneous. Socialist feminism and women's groups in TUs (Mahon 1987).¹⁶³

Intimate citizenship

At national level- discrimination on grounds of sexual orientation included in Equality Laws – (use of equality framework) but- still not equality in terms of legal recognition of partnerships – and repercussions this has on issues such as taxation.

Recent use of human rights discourse in case of discrimination on grounds of sexual orientation (Reilly 2007)¹⁶⁴

Barry (in Reilly 2007: 128) describes the relative lack of take up of human rights framework in area of reproductive rights as a 'missed opportunity'. Issues around reproduction inadequately addressed using equality framework that is so prominent in Ireland.

But recognition of human rights being used by some organisations, such as the Irish Family Planning Association. Reilly describes the way this body openly articulates a more 'radical feminist' position on reproductive rights than established women's organisations, possibly explained by several factors: As a service organisation, it has first hand experience of the impact of the lack of access to abortion in Ireland (Barry in Reilly 2007). As stated in an IFPA (May 2005)¹⁶⁵ submission to CEDAW:

Every day IFPA counsellors witness how a woman's youth, lack of education or money, uncertain immigration status or other socio-economic factors, can dramatically diminish her ability to access abortion abroad.

IFPA also does not have a broad membership base and is therefore not attempting to represent diversity of groups (such as NWCI which tends to engagement with abortion as an issue). Also, is not restricted by having to 'tow the party line' by State funding, plus it has strong international links.

But backlash against feminist demands- from religious groups.

Gender-based violence

1990s (Reilly 2007) NGOs adoption of international frameworks in gender-based violence. Radical.

Reilly (2007) notes that there were attempts to neutralise violence as a gendered issue by the Task force group (see gender machineries section above). In response, women's NGOs used reference to international definitions (e.g. CEDAW) to defend violence as a gendered issue.

Is there a history of changing engagement with class, ethnic and religious forces? Does this vary by 4 areas?

Class:

NWCI and engagement with poverty in areas of pensions and older women, lone parents, individualisation of social welfare system.

One parent NGOs and role in lobbying on poverty.

Combat Poverty (statutory agency) (supported 'Women's Networks Programme' 1993-95; also supported development of National Anti-Poverty Networks including an 'Older Women's Network'¹⁶⁶

¹⁶³ Mahon, Evelyn. 1987. Women's rights and Catholicism in Ireland. *New Left Review* 1 (166):53-77.

¹⁶⁴ Reilly, Niamh. 2007. Linking local and global feminist advocacy: framing women's rights as human rights in the Republic of Ireland. *Women's Studies International Forum* 30 (7):114-133.

¹⁶⁵ http://www.whra-ireland.org/PDFs/cedaw/IFPA_CEDAW_Submission.doc

¹⁶⁶ <http://www.combatpoverty.ie/ourwork/concludedprogrammes.htm#4>

which aimed to ensure that the voices of various groups experiencing poverty are heard and have role in shaping national and local policy).

Since increased participation of women in employment then there has been increased female membership in trade unions, and over recent years, increased number of initiatives to improve women's representation in trade unions.

Also, the issues taken up by trade unions supportive of feminist women's organisations.

Ethnicity: and class, trade unions taking up the issue of migrant labour and working conditions. In Ireland, history of discrimination against traveller groups and emergence of women's organisations within traveller community organisations- e.g. NGO group working to challenge myth of violence against women as a cultural issue.

Struggle for recognition of Travellers' status as minority group.

Reilly (2007) argues that there are significant gaps in 'mainstream' women's organising in Ireland and that:

The invisibility of 'race' partly reflects the fact that, until quite recently, the population in Ireland has been perceived to be overwhelmingly homogeneous and 'white'. While a shift – in reality and perception- is underway, this has limited the recognition and articulation of women's issues from perspectives other than that of a supposed 'white majority'.

Recent emergence of minoritised women's groups with general increase in immigration to Ireland over recent years.

Religious forces: dominance of the Catholic Church in Ireland, and struggle by feminist organisations against Catholicism on key issues such as divorce, abortion and women's work outside the home.

Violence against women and Church position as supportive of women- e.g. provision of shelter (but rationale / motivation as resting on non-feminist analyses).

There is also the involvement of Church organisations in anti-poverty work.

Is feminist research organised in Universities and research institutes?

- Are there named centres? YES
 - If yes, are they important? YES
 - If not, is important feminist research primarily dispersed or mainstreamed?

Feminist research

1. Centre for Gender and Women's Studies, Trinity College, Dublin. Established in 1988 as the Centre for Women's Studies. Current research: commissioned by government departments and state agencies, other sources of funding of current research: Irish Human Rights Commission and Atlantic Philanthropies.¹⁶⁷

2. National University Ireland (3 colleges with G/WS)

a) Women's Education, Research and Resource Centre, University College Dublin¹⁶⁸;

b) National University Ireland, Galway¹⁶⁹

c) Women's Studies, University College, Cork¹⁷⁰.

3. Women's Studies at the University of Limerick, Department of Sociology, University of Limerick¹⁷¹

Importance? Yes, these centres do conduct government funded research which (potentially) influences policy in the area of for example, 'crisis pregnancy', also key academics involved in

(The Older Women's Network seems to have been replaced by 'Age and Opportunity')

¹⁶⁷ http://www.tcd.ie/Womens_Studies/research_centre/

¹⁶⁸ <http://www.ucd.ie/werrc/>

¹⁶⁹ <http://www.nuigalway.ie/wsc/> http://www.nuigalway.ie/faculties_departments/womens_studies/research/

¹⁷⁰ <http://www.ucc.ie/en/DepartmentsCentresandUnits/WomensStudies/AboutWomensStudies/>

¹⁷¹ <http://www.ul.ie/womensstudies/>

government forums (e.g. Mary Daly's involvement in the Forum on the Family) and in engagement with EU expert networks on gender (e.g. Ursula Barry).

Are there specific positions, funds or journals within the country (or region e.g. Nordic)?

Irish Journal of Feminist Studies
(Irish Journal of Sociology; special issues of Feminist Review)

According to Lynch (2000: 75)¹⁷² there has been very little independent funding available for social science research in Ireland, leaving researchers with two main options- to tender for government-funded policy related research or to seek voluntary, statutory or funding from other such agencies.

Is there a national association for women's studies/gender studies?

Feminist and Women's Studies Association (UK and Ireland- North and South)

Are there feminist lawyers' organisations?

Yes, the Irish Women Lawyers Association <http://www.iwla.ie/>

Are there radical lawyers' organisations that support justice claims for one or more of the inequalities?

Ireland has a strong radical legal tradition (Mary Robinson, the former president of Ireland and barrister has been very active in campaigning across several areas including women's rights and homosexual law reform).

6.2 Class

A short history of the development of organisations representing class interests.

Until 1973, marriage bar which banned the recruitment or employment of married women in the Civil Service, Health Boards and Local Authorities.

According to Connolly (2003: 76)¹⁷³, the retention of the marriage bar had the full support of the trade union movement.

The repeal of the marriage bar meaning increased participation in employment, plus economic growth in Ireland- and increase in women's participation in Trade Unions.

In 1971 female labour force was approximately 26% of total labour force and ICTU female membership was approximately 27%. By 2002, female labour force had reached 40% and ICTU membership 39% female (Quinn 2004¹⁷⁴).

Change in Irish trade unions and the ICTU was slow. As Quinn shows, notwithstanding some shifts in the ICTU, up until the late 1980's it was generally a patriarchal body, with intense struggle of women activists gaining some ground from 1987 onwards.

How strong are trade unions? Use the following four measures of trade union strength (Data: European Industrial Relations Observatory Online, national sources)

Density (proportion of workers that are organised),

In 2004: 38%

(Net trade union density, figures represent the total of gainfully employed members -excluding unemployed people, students or retired individuals- divided by the total population of wage earners in the country, EIRO 2006)¹⁷⁵

¹⁷² Lynch, in (Re)searching Women (2000)

<http://books.google.com/books?id=SvdNtZaj4qAC&dq=Byrne+1992+Academic+Women%27s+Studies+in+the+Republic+of+Ireland>

¹⁷³ Connolly, Eileen. 2003. Durability and change in state gender systems. *The European Journal of Women's Studies* 10 (1):65-86.

¹⁷⁴ Quinn, Mary. 2004. Trade unions, gender and claims under Irish employment equality legislation. *Gender, work and organization* 11 (6):648-667.

¹⁷⁵ European Foundation for the Improvement of Living and Working Conditions (2007) *Industrial relations in EU member states 2000-2004* (Source used: EIRO country profiles 2006)
<http://www.eurofound.europa.eu/pubdocs/2007/15/en/1/ef0715en.pdf>

Coverage (what proportion of workers are covered by collective bargaining agreements), According to a recent EIRO report¹⁷⁶, since 1987, all union members have been covered by national-level collective agreements but there are no precise figures on the number of employees covered by local-level collective agreements in Ireland. The report also notes that the fact that 'a union is recognised in Ireland does not necessarily mean that unions engage in collective bargaining, or that employees are covered by collective bargaining arrangements'.

Centralisation of collective bargaining,
is there are national body of trade unions;

Irish Congress of Trade Unions (umbrella congress covering Northern Ireland and the Republic of Ireland)

what proportion of TU members and unions are affiliated?

In 2005: approx 85% of total national union membership represented by the national body

Proportion of affiliated unions and members estimate calculated from ICTU figures:

2005 total union membership estimated for ROI at 600,000- 557,000 union members plus the approx 40000 plus union members belonging to non-affiliated organisations

ICTU (2005) *Report of the executive council 2003-2005*. Page 15

http://www.ictu.ie/html/news/conference/BDC2005/EC_2005/Section%201.pdf

Note: CSO figures for union membership- based on *employees* who are union members, total in 2004 of 521000 union membership.

Coordination of collective bargaining.

Does the national body of trade unions negotiate on behalf of trade unions

Yes- since 1987 pay bargaining at national level through social partnership agreements, though some local pay bargaining still exists around pay floors¹⁷⁷.

Can it coerce or discipline member unions to enforce agreement?

No

Women and trade unions:

What percentage of *total* trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female?

47% female trade union membership (2004)¹⁷⁸

How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?

Several women's committees within each of unions exist across Northern Ireland and the Republic.¹⁷⁹

ICTU and women's representation: ICTU compiled a training programme on promotion of equality / diversity for affiliated unions.¹⁸⁰

What proportion of women are in the executive of (major) trade unions?

1999 ICTU: 17% executive committee women; 25% steering committee and / or daily management women.¹⁸¹

Is gender equality high or low on the bargaining agenda?

In terms of the shift in position of gender equality over time in Ireland, then it is has moved higher up the agenda, although how this works in practice is debateable.

¹⁷⁶ <http://www.eurofound.europa.eu/eiro/2002/12/word/ie0209204s.doc>

See also report on Ireland: http://www.eurofound.europa.eu/eiro/country/ireland_4.html

¹⁷⁷ <http://www.eurofound.europa.eu/eiro/studies/tn0703019s/ie0703019q.html>

¹⁷⁸ CSO (2005) *Quarterly National Household Survey: union membership 1994-2004*

http://www.cso.ie/releasespublications/documents/labour_market/current/qnhsunionmembership.pdf

¹⁷⁹ <http://www.ictu.ie/html/aboutcon/commit.html#Women's%20Committees>

¹⁸⁰ <http://www.lift.ie/?tabindex=1&tabid=35>

¹⁸¹ ETUC (2003) *Women in Trade Unions: Making the difference*. Page 51-2, source CES 2002 survey.

http://www.etuc.org/IMG/pdf/genre_an_080403.pdf

Is it seen as an issue for women, or for all trade unionists?

Not sure: would say that it is seen as an issue for women rather than all trade unionists.

How well organised are employers?

Several employers' associations but not powerful in terms of controlling members:

Irish Business and Economic Confederation; Irish Small and Medium Enterprises; Small Firms Association; Irish Exporters' Association; Irish Tourist Industry Confederation; Chambers of Commerce Ireland; Construction Industry Federation; Irish Farmers' Association; Irish Creamery Milk Suppliers' Association; Irish Co-operative Organisation Society Ltd.

Do they have a single (or more) national organisation? Is it powerful or not? E.g. can it control its members?

National organisations:

IBEC (general) acts as the umbrella body for Ireland's leading industry groups and associations and is the national voice of Irish business and employers.¹⁸²

Chambers of Commerce Ireland (general)

ISME (SME)

CIF (sector)

Power:

National organisations cannot discipline members over wage setting.

These four bodies are the 'National Employer Peak Associations' (NEPAs) identified by EIRO.¹⁸³

According to EIRO, 'NEPAs' powers vis-à-vis their affiliates differ among the four peak federations, with no general trend emerging.'

NEPAs' involvement in statutory bodies¹⁸⁴:

IBEC: Labour Relations Commission (LRC); Joint Labour Committees (JLC); National Economic and Social Council (NESF); National Economic and Social Forum (NESF); National Centre for Partnership and Performance (NCP); and representation in Labour Court and over 80 different institutions and committees. CCI: involved in NESF and NESF.

Are they indifferent or hostile to gender equality in the workplace?

Submissions by IBEC on policy consultations are not available on-line to non-members, making it difficult to assess the organisation's position on gender policies and equality bodies. From secondary sources¹⁸⁵, seems generally hostile to gender equality policies which involve increased costs such as extended parental leave arrangements. Also, preference for voluntary agreements. But, seem supportive of initiatives to improve childcare, and perceives the lack of childcare as a key barrier to increasing female labour force participation.¹⁸⁶

Do they oppose the development of gender machinery, gender equality policies and gender equality laws?

Insufficient evidence to assess. Probably in favour of those developments making 'business sense' (e.g. provision of childcare, state) and against those that are perceived as undermining the viability of businesses.

Do they support 'diversity management'?

Attitude to diversity management, support in so far as it makes 'business sense'.

IBEC publication on diversity management (2003) developed with support from the Equality Authority.¹⁸⁷

¹⁸² http://www.ibec.ie/ibecweb.nsf/wvDocHTML/About_Us?OpenDocument

¹⁸³ <http://www.eurofound.europa.eu/eiro/2003/11/study/tn0311101s.html>

¹⁸⁴ <http://www.eurofound.europa.eu/eiro/2003/11/study/tn0311101s.html>

¹⁸⁵ <http://www.eurofound.europa.eu/eiro/1998/06/inbrief/ie9806251n.html>

<http://www.eurofound.europa.eu/eiro/1998/01/study/tn9801201s.html>

¹⁸⁶ <http://www.eurofound.europa.eu/eiro/2006/12/questionnaires/ie0612019q.html>

¹⁸⁷ [http://www.ibec.ie/ibec/doclib3.nsf/549a3c11fc20dcf980256f24004e9727/76a9df3ff28adfa480256cb0002ba2e9/\\$FILE/Diversity.pdf](http://www.ibec.ie/ibec/doclib3.nsf/549a3c11fc20dcf980256f24004e9727/76a9df3ff28adfa480256cb0002ba2e9/$FILE/Diversity.pdf)

Did they lobby for a merged rather than separate equalities bodies?

Not sure

Are there tri-partite or corporatist bodies including employers, trade unions and government that make important national decisions?

Since 1987 social partnership agreements between employers, government and trade unions. Social Partners: 4 'pillars' government, employers, farming organisations, community and voluntary pillar. Note that Ireland has been described as a 'special case' by the EIRO, relatively recent emergence of tripartite process- or rather- multi-partite given the inclusion of organisations of unemployed individuals (INOUE).¹⁸⁸

Are women represented in such bodies?

NWCI (2006) Annual Report 2005 states that it did not sign up to the last (Sustaining Progress 2003-05, check?) Social Partnership Agreement because it offered no progress on women's equality.

http://www.nwci.ie/publications/annual_reports

Are there EU, bilateral or other international level links for either trade union or employer organisations?

EU links

Trade unions

ETUC European Trade Union Congress: Irish Congress of Trade Unions is the Irish affiliate of the European Trade Union Confederation (ETUC), the representative body for trade unions at European level.

Uni-Europa (regional organisation of Uni-Global, see below). This organisation describes itself as a 'major trade union player in Brussels' and aims to be effective at the 'heart of Europe', in dialogue with industries, lobbying with the European Commission and taking issues to Members of the European Parliament.¹⁸⁹

Employer organisations

Federation of European Employers¹⁹⁰

Business Europe¹⁹¹ The confederation of European Business. IBEC is Ireland's member organisation.

UEAPME European Association of Craft, Small and Medium-sized Enterprises. Irish Small and Medium Enterprises Association is a member.¹⁹²

Several sectoral federations for different industries such as 'CEEP'¹⁹³ for individual enterprises, associations of enterprises and employers working in public services sector, 'Hotrec'¹⁹⁴ a trade association for hotels, cafes and restaurants in the EU, and the European Banking Federation.¹⁹⁵

International links

Trade unions

Global Unions.¹⁹⁶ umbrella website for ICFTU, TUAC to OECD, and ten GUFs (Global Union Federations), jointly owned and managed by these 12 organisations.

Uni-Global. Representatives from Ireland (/UK) unions (Amicus, MANDATE, CWU) are on the executive committee.¹⁹⁷

¹⁸⁸ <http://www.eurofound.europa.eu/eiro/2005/09/study/tn0509103s.html>

¹⁸⁹ <http://www.uni-europa.org/>

¹⁹⁰ <http://www.fedee.com/>

¹⁹¹ <http://www.buinessseurope.eu/>

¹⁹² <http://www.ueapme.com/EN/index.shtml>

¹⁹³ <http://www.ceep.org/>

¹⁹⁴ <http://www.hotrec.org/>

¹⁹⁵ <http://www.fbe.be/>

¹⁹⁶ <http://www.global-unions.org/>

Trade Union Advisory Committee to the OECD¹⁹⁸ an international trade union organisation which has consultative status with the OECD and its various committees. The ICTU is the affiliate organisation for Ireland.

International Labour Organisation.¹⁹⁹ The tripartite UN agency which brings together government, employer and worker representatives to shape programmes and policies. Incorporates a specific focus on 'gender promotion.'²⁰⁰

Employer organisations

Business and Industry Advisory Committee.²⁰¹ The officially recognised representative of the OECD business community. IBEC is Ireland's member.

International Labour Organisation.²⁰² The tripartite UN agency which brings together government, employer and worker representatives to shape programmes and policies.

- Are these links important (e.g. in lobbying government at national level)

These links do not seem to be of major importance.

7.3 Other intersecting social inequalities

Note: There are currently no rules that deal with the situation of multiple discrimination.

There are an abundant number of cases taken on multiple grounds. The figures produced by the Equality Tribunal for 2005²⁰³ show that under the Employment Equality Act 1998-2004 almost one in four claimants allege multiple-discrimination, and under the Equal Status Act 2000-2004 more than one in four claimants allege multiple discrimination. In a recent case *O'Brien v. ComputerScope Limited*,²⁰⁴ the complainant alleged age and gender discrimination, the Equality Tribunal in finding discrimination dealt with the grounds of discrimination as a collective issue and did not identify separately how the complainant was discriminated against on each ground. In the Labour Court in *Superquinn v. Freeman*⁸⁹ the appellant challenged the Equality Officers decision to treat the alleged discriminatory grounds (age, marital status and family status) as a collective issue. The Labour Court while finding for the appellant did not address this point.²⁰⁵

7.3.1 Ethnicised / racialised groupings

- o What is the composition of the national population by ethnicity?

Ethnic / cultural background ²⁰⁶		Percent of total population
White	Irish	87
	Irish Traveller	0.5
	Any other white background	7
Black or Black Irish	African	1
	Any other Black background	0.09
Asian or Asian Irish	Chinese	0.3
	Any other Asian background	0.9
Other incl. mixed background		1.1
Not stated		1.7

¹⁹⁷ http://www.union-network.org/UNISite/About_Us/World_Executive_Board/UNIWorldExecutiveBoard2005-2010.pdf

¹⁹⁸ <http://www.tuac.org/>

¹⁹⁹ <http://www.ilo.org/>

²⁰⁰ <http://www.ilo.org/public/english/dialogue/actrav/genact/gender/gendtu/index.htm>

²⁰¹ <http://www.biac.org/>

²⁰² <http://www.ilo.org/>

²⁰³ <http://www.equalitytribunal.ie/index.asp?locID=80&docID=1281>

²⁰⁴ DEC-E2006-030; see section 2.3 below for a further discussion of this case

²⁰⁵ http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/irlrep07_en.pdf

²⁰⁶ Source: Central Statistics Office (2007) *Census 2006, Volume 5: Ethnic or Cultural Background (Including the Irish Traveller Community)* http://www.cso.ie/census/census2006results/volume_5/vol_5_2006_complete.pdf

The single largest group of immigrants come from the UK (112.548), second is Poland (63.267) Lithuania (24.628); Nigeria (16.300) Latvia (13.319); US (12.475); China (11.161) and Germany (10.289) (CSO, 2006)

What are considered to be the most important ethnicised, racialised, linguistic and religious divisions politically (e.g. Islamic/non-Islamic, Roma/non-Roma, Black/White, citizen/migrant, language communities)?

The most important ethnicised group in Ireland historically are Travellers. According to a recent ENAR shadow report (Lynch, 2005: 10)²⁰⁷ on Racism in Ireland: 'Many Black and minority ethnic groups in Irish society are vulnerable to racism. These communities include Travellers, the Jewish community, the Chinese community, Black-Irish and other long standing minority ethnic communities as well as more recently established communities from the growing immigrant population.'

Prioritise the ones that have been the most important in the development of gender+ equality policies.

Travellers

What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)?

Asylum seekers: lack of access to employment

In what way are ethnicised and racialised groups organised?

The main group in Ireland is that of Travellers- who are organised into groups (e.g. Pavee Point, Roma Support Group) which are represented by a national organisation the 'Irish Traveller Movement'.²⁰⁸ Other groups: General immigrant support organisation, network of groups 'Integrating Ireland' working to support asylum seekers / refugees; Islamic groups and a group representing African women in Ireland.

What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

Lobbying state, campaigning.

In what way are women engaged in these organisations?

Some separate groups (National Traveller Women's Forum; Akina Dada wa Africa), and separate 'projects' within organisations (Islamic Cultural Centre of Ireland).

Do minoritised women organise separately within or outside of such organisations?

Answered above, both within and outside.

Are there any groups organised against certain ethnic groups?

Not explicitly (Although – as stated above- racism is a problem, Far Right and explicitly anti-immigration racist parties in Ireland do not seem to attract the support that they have done recently in other European countries²⁰⁹).

EU, bilateral or other international links?

Yes. ENAR: European Network Against Racism²¹⁰

EU Monitoring Centre on Racism (EUMC) in Vienna- National Consultative Committee on Racism and Interculturalism is the National Focal Point for Ireland, in partnership with the Equality Authority.²¹¹

UN Convention on the Elimination of all Forms of Racial Discrimination (Ireland ratification: 2000)²¹²

International Organisation for Migration (Ireland became member state 2001).²¹³

²⁰⁷ Lynch, Catherine ENAR Shadow Report 2005 http://www.enar-eu.org/en/national/ireland/Ireland_2005.pdf

²⁰⁸ <http://www.itmtrav.com/about.html>

²⁰⁹ E.g. see comment: Doyle, John and Connolly, Eileen 'Can we draw comfort from the recent election?' (Dublin City University) <http://www.dcu.ie/alumni/summer02/content.html>

²¹⁰ http://www.enar-eu.org/en/info/ass_irl.shtml

²¹¹ <http://www.nccri.ie/nccri-about.html>

²¹² <http://www.ohchr.org/english/countries/ratification/2.htm#N12>

²¹³ <http://www.iomdublin.org/>

7.3.2 Religion/belief/faith

What is the composition of the national population by religion / faith

According to available census data (2002)²¹⁴:

Dominant institution: the Roman Catholic Church 88.4%

The Church of Ireland (including Protestant) 3%

Christian (unspecified) 0.5%

Presbyterian 0.5%

Methodist 0.3%

Muslim 0.5%

Orthodox 0.3%

Other religions 1%

No religion 3.5%

(Not stated= 2%)

Note that these are not figures referring to the proportion of people *practising* religion.

What proportion of the population are practising members of an organised religion?

Source: European Values Survey (1999).²¹⁵

Church attendances	Percent	Cumulative Percent	Valid percent	Cumulative valid percent
More than once a week	13,3	13,3	13,4	13,4
Once a week	45,4	58,7	45,6	59,0
Once a month	10,8	69,5	10,8	69,8
Only on special holy days/Christmas/Easter days	10,5	80,0	10,6	80,4
Other specific holy days	1,8	81,8	1,8	82,1
Once a year	5,0	86,7	5,0	87,1
Less often	3,5	90,2	3,5	90,6
Never practically never	9,4	99,5	9,4	100,0
No answer	0,5	100,0		

When asked: Independently of whether you go to church or not, would you say you are ?

	Total	Male	Female
A religious person	73,7	69,4	77,9
Not a religious person	24,6	28,5	20,8
A convinced atheist	1,7	2,1	1,3
Total	977 (100%)	477 (100%)	499 (100%)

Note: 15% of Irish population agrees with the statement "Politicians who do not believe in God are unfit for public office" (European values Survey 1999)

²¹⁴ Census 2002, volume 12, religion (Central Statistics Office, Ireland):

http://www.cso.ie/census/documents/vol12_entire.pdf Percentages approximations calculated from table 5A, page 23).

²¹⁵ <http://www.jdsurvey.net/web/evs1.htm>

What are the main religious organisations?

The main religious organisation (institution) in Ireland is the Catholic Church, with various groups differing in size.²¹⁶

What are their main strategies (i.e. building autonomous institutions, public protest e.g. demonstrations, campaigning, lobbying state, service provision, research)

Influence of Church in Ireland tends to be institutionalised throughout society.

How are women represented or not within them?

Separate women's organisations in Catholic Church.

Do they oppose gender equality in general and in our three issues?

Oppose gender equality unless following equal valuation of different contributions meaning of equality.

Non-employment: general opposition, support women being in the home as carers, as mothers.

Intimate citizenship: general opposition, against abortion and civil partnerships.

Gender-based violence: support work against violence in terms of providing shelter etc.

What is their preferred model of womanhood?

Difference: support in general for domestic gender regime

Do they support or oppose the other equalities issues?

General opposition to equality on grounds of sexual orientation

Are they in alliance with any other inequalities or not?

Catholic Church: justice / anti-poverty work, supporting Traveller and minoritised groups.

Are there any groups organised against certain religious groups?

None explicitly anti-religious.

7.3.3 Sexuality

Are there gay/lesbian/trans organisations?

YES

Do they have a national organisation?

Yes, one of main bodies (established 1988) Gay and Lesbian Equality Network (GLEN)

Also Gay and Lesbian Unions Eire (GLUE).

Do they work in alliance with other inequalities or not?

Not generally.

Are there any groups organised against gay / lesbian / trans-people?

Opposition of Catholic Church to extending LGBT rights (see below section 7.4).

EU, bilateral or other international links?

Yes. Links in terms of Catholicism internationally.

7.3.4 Disability

Are there disability organisations?

DFI Disability Federation Ireland: the national support organisation and advocate for voluntary disability organisations in Ireland who provide services to people with disabilities and disabling conditions.²¹⁷ Also, People with Disabilities in Ireland²¹⁸: an umbrella organisation which brings people together locally and nationally to work on common issues that affect all people with disabilities.

²¹⁶ Links to diocese- http://www.dublindiocese.ie/index.php?option=com_frontpage&Itemid=1

<http://www.catholiccommunications.ie/>

List of religious orders and congregations-

<http://www.catholiccommunications.ie/Links/religiousordersandcongregations.html>

²¹⁷ <http://www.disability-federation.ie/index.htm>

²¹⁸ http://www.pwdi.ie/about_pwdi/index.htm

What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

Main strategies: campaigning and lobbying state.

In what way are women engaged in and represented in these organisations?

There does not seem to be particular women's groups and it is difficult to find specific women's groups within the affiliated organisations.

EU, bilateral or other international links?

DFI is a member of The European Association of Service Providers for Persons with Disabilities (EASPD) (see DFI Annual Report 2005: <http://www.disability-federation.ie/documents/annualreview2005.pdf>)

7.3.5 Age

Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

Age Action Ireland set up in 1992 (1300 members representing statutory agencies, professional associations, local voluntary groups, commercial organisations, and older people themselves²¹⁹); Main strategies: campaigning, lobbying and research.

How are women engaged in and represented in these organisations?

Women's organisation: Older Women's Network²²⁰ a national network linking individuals and groups of women aged 55+.

EU, bilateral or other international links?

Link with: AGE European Older People's Platform

7.4 Hotspots And Alliances

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion or gender/Islam a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

Gender and religion: endemic. Hostility of Catholic groups to feminist causes, in particular: divorce and abortion (But also historically- embedded influence of dominance of Catholicism on women's position in society. For example, the Constitution and protection of women's role within the home).

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?

Gender and class: (recent) support of trade unions to feminist issues.

(Only over past few years decline in patriarchal character of some trade unions. Exclusion of women from senior ranks, Ref: Mary Quinn).

Gender and ethnicity: NWCI and anti-racism work.

Gender, class and religion (for example, the support of the Catholic Church to groups who are 'socially excluded').

Gender and sexuality: support of NWCI for legal recognition of domestic partnership and civil unions (as human rights issue).²²¹

²¹⁹ <http://www.ageaction.ie/news/paw-ageaction-07.asp>

²²⁰ <http://www.ownireland.ie/about.htm>

²²¹ <http://www.nwci.ie/publications/submissions> NWCI submission to the Department of Justice, Equality and Law Reform on domestic partnerships (April 2006).

Gender, ethnicity and religion: Support of Catholic Church to ethnicised / racialised groups (socially excluded).

WIDER SOCIAL INSTITUTIONS

8. Wider Social Environment

The wider social environment may be important in explaining the resources, whether economic, organisational or discursive, which are available to the political groups and institutions identified above.

Population, economic development, economic inequality and state welfare

	Ireland	EU
GDP per capita PPP (Purchasing Power Parity) 2003 (OECD 2006)	44.5	29.9
GDP/capita PPS 2005 (EU 27 =100)	144	100
Population size 2006 (Eurostat 2006)	4.1	460
% of workforce in agriculture 2005 (World Bank 2006)	5.7	3.7 ²²²
Longevity 2005 (World Bank 2005)	79.4	79.7 ²²³
Gini (measure of economic inequality) 2005 (Eurostat 2007)	32	30
% GDP/gov. expenditure on social protection 2005	18.2	27.2
% GDP/gov. expenditure on active labour market policies 2003 (OECD 2007)	0.63	
% GDP/government expenditure on childcare 2003 (OECD 2007)	0.1	
% GDP/Government expenditure on military (World Bank 2005)	0.6	1.7 ²²⁴

Gender regime

	Ireland			EU27		
	Total	Female	Male	Total	Female	Male
Employment rate (2005, Eurostat) ²²⁵	67.6	58.3	76.9	63.5	56.3	70.8
Unemployment rate (2005, Eurostat) ²²⁶	4.3	4	4.6	8.9	9.6	
Share of women in adult labour force % (2004, UN) ²²⁷	42					
Women's share of part-time employment % (2004, UN) ²²⁸	79					

²²² EU15 average

²²³ EU15 average.

²²⁴ EU15 average

²²⁵ Employment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013

²²⁶ Unemployment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em073

²²⁷ Share of women in adult labour force:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5a.htm>

²²⁸ Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5b.htm>

Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat) ²²⁹	9			15		
School enrolment tertiary % gross (2004, World Development Indicators) ²³⁰	58.5	66	51.4			
Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007) ²³¹	13					
Women's share of legislators and managers % (UN 2005) ²³²	31					
% lone parent families (of all family units with children) ²³³	34					
Mean age at first marriage (1996, Eurostat) ²³⁴		28.2	30.0			
Marriage rate (2003, UN) ²³⁵	5.1			4.9		
Divorce rate (2003, UN) ²³⁶	0.8					
Fertility rate (2004 , World Development Indicators) ²³⁷	1.9			1.5		

²²⁹ Gender pay gap:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030

²³⁰ World Development Indicators, World Bank (September 2006)

²³¹ Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwm/tab6a.htm>

²³² Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5d.htm>

²³³ (Calculated from Central Statistics (2007), *Census 2006, volume 3: Household composition, family units and fertility, table 34*. http://www.cso.ie/census/census2006results/volume_3/tables_30-41.pdf)

²³⁴ Mean age at first marriage,

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=Yearlies_new_population&root=Yearlies_new_population/C/C1/C13/cab11024

²³⁵ Marriage rate, table 23, p.624 <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2003%20DYB.pdf>

²³⁶ Divorce rate: <http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

²³⁷ World Development Indicators, World Bank (September 2006)

9. SUMMARY

9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'

	Fully transposed	Before/ after EU	Year	Less, equal to EU, or beyond	ECJ for CEC/Country	EU references
Issues						
1 Equal pay/equal treatment	YES	AFTER				
2 Sexual harassment and discrimination	YES	AFTER		LESS		
3 Equality bodies	YES	BEFORE	1977	EQUAL	NO	NO
4 NGO/civil society dialogue						
5 Parental leave	NO	AFTER		LESS	CEC against Ireland. Preliminary ECJ ruling against Ireland	YES
6 Organisation of working time						
Gender Machinery	YES		1977	Beyond (9 grounds, employment; goods and services)		

9.2 Plans and programmes

National general gender equality plan (current)	Yes X				No
Reference to Lisbon targets	X				
Reference to Barcelona targets	X				
Targets and indicators	None	Weak X	Moderate	Strong	

National plan: Gender-based violence (current)	Yes				No X
Targets and indicators	None	Weak	Moderate	Strong	

Focus on gender	No	Yes:	Weak	Moderate	Strong
Employment plan (general assessment)		X		X	

Social protection and social inclusion plan (general assessment)		X	X		
Reference to gender based violence		X	X		

9.3 Gender machineries

National gender machineries	Yes (specify date)		No	Notes
	Gender specific	General equality		
Central government gender equality body with senior minister		(1993, check)		NAME?
Independent equality body (research, monitoring, and enforcement)	1977	1999		Creation of SEB in 1999, i.e. the Equality Authority
National consultative / representative body linking state and women's NGOs	1973	1973		National Women's Council of Ireland
Any other body / bodies (e.g. parliamentary committees) Please name: 1. Joint parliamentary committee 2. Commission on the Status of Women	1983 1970 and 1990	1997		Committee remit broadened in 1997

9.4 Policy summary

	No- at all	Not	Yes/ Low	Yes/ Moderate	Yes /High
General To what extent is gender mainstreamed throughout policies?			X		
Non-employment (4.1)					
Extent to which mothers can be legitimately non-employed					X
Intimate citizenship (4.2)					
Extent to which women have access to abortion (in country of residence)	X				
Extent to which state policies are heteronormative					X
Gender-based violence (4.3)					
Extent to which policies on GBV go beyond domestic violence			X		
Strength, resources and co-ordination of GBV policies			X		

9.5 Civil society and state interface

	Not at all	Low	Moderate	High
Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources)			X	
Extent to which the women's NGOs participate in policy making			X	
Extent to which women's NGOs are close to state		X		
Extent to which women's NGOs engage with intersecting inequalities			X	
Extent to which women's NGOs are state funded		X		
Extent of influence of trade union body on policy making			X	
Extent of power of women within trade union body		X		