

## **Sheehy Skeffington School**

### **The Merger of the Irish Human Rights Commission and the Equality Authority**

I am grateful to the organisers of the Sheehy Skeffington School for the opportunity to say a few words about the upcoming merger of the Irish Human Rights Commission (IHRC) and the Equality Authority. I think it is important to raise this in a discussion about the struggle to keep human rights and social inclusion on the agenda during the current economic crisis. My own qualification for talking about it is that I was a member of the Working Group which has just produced a report about the proposed merger –although I am speaking here in my personal capacity and not as a member of the Working Group.

The IHRC and the Equality Authority may not be the most radical bodies around and they may not have delivered on all the expectations of the NGO community when they were set up, but they are the major state-funded bodies established to protect human rights and promote equality. And they have done useful work over the last 10 or 11 years.

The Equality Authority has done a lot of awareness raising work and has taken a lot of cases to combat discrimination against marginalised groups like pregnant workers, Travellers, gays and lesbians, ethnic minorities and the disabled.

A lot of the IHRC's work has been in different, less tangible areas, like commenting on pending legislation and trying to develop human rights education in the public service. It is harder to measure that type of work but it can also do things that are closer to the grassroots, like last year when it gave its support to the residents of the Dolphin House flats in Dublin in their campaign against their shocking living conditions. The IHRC's involvement helped to raise the profile of the campaign and get it more attention in the media.

The IHRC and the Equality Authority should be seen as useful allies of civil society in its work on human rights and social inclusion. But these two bodies were hollowed out by the last Government by slashing their funding and they were left barely able to function. The Government then proposed to merge them, without any consultation or analysis and, in the view of many people, basically so they would be left toothless and ineffective.

That merger was stalled but it has come back on the agenda, only this time with assurances from the Taoiseach, Tánaiste and the Minister for Justice and Equality that the new body would be enhanced and strengthened.

When the working Group was set up, it was hard to resist the principle of a merger in the current economic climate, so the Group's Report has concentrated on setting out proposals for a stronger, more efficient, effective and grounded organisation. The report is not a blueprint for revolution but it does set out some key criteria for the new body, to be called the Irish Human Rights and Equality Commission (IHREC). They include independence; compliance with the UN's Paris Principles for national human rights institution; a fair and transparent appointments process; staff who are appointed by the IHREC itself, not seconded civil servants; accountability to the Oireachtas rather than any Government Department; and, crucially, adequate resources.

The Minister for Justice and Equality has welcomed the report and has talked about the necessary legislation being passed before the summer and the new IHREC being up and running by the autumn. That leaves a few months for civil society organisations to lobby and campaign around this issue and hold the Government to its promises about an enhanced and strengthened Commission, with Commissioners who are fully independent and broadly representative, including some who come from the marginalised and disadvantaged communities they are there to assist, and which has adequate resources to carry out its functions.

A new and stronger IHREC will not be the solution to the problems of deprivation and social exclusion that this school is discussing. It would be only one cog in the wheel but the wheel might run a bit faster and smoother with that cog than without it.

*Michael Farrell is the senior solicitor with Free Legal Advice Centres. He is a former co-chair of the Irish Council for Civil Liberties and was a member of the Irish Human Rights Commission from 2001 to 2011. He is a member of the European Commission Against Racism and Intolerance and was a member of the Working Group on the merger of the IHRC and the Equality Authority, which has just completed its report.*