

CEDAW
Response to List of Issues prior to Reporting

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List of issues prior to submission of the combined sixth and seventh periodic reports of Ireland

Introduction

1. This document, responding to the List of Issues and Questions Prior to Reporting provided by the Committee on the Elimination of All Forms of Discrimination Against Women (the Committee), comprises the combined sixth and seventh periodic reports of Ireland to the Committee.

General

Reply to the issues raised in paragraph 1

Situation of women in Ireland

3. Between 2006 and 2015 the number of females in Ireland increased by over 10% to 2.3458 million, or 50.6% of the total population of 4.635 million. The largest proportional increases were in the age groups 45-64 years and 65 years and above. In the same period, the number of males increased by almost 8%. One in eight women in Ireland has non-Irish nationality.

Table 1: Female population by age group, 2006 and 2015

Age Group	2006	2015	% change
Female			
0 - 14 years	421,405	504,400	16%
15 - 24 years	311,725	251,100	-24%
25 - 44 years	663,885	707,900	6%
45 - 64 years	460,831	556,900	17%
65 years and over	260,831	325,400	20%
All ages	2,118,677	2,345,700	10%

Source: CSO, Census 2006 and Population and migration estimates April 2015

Table 2: Estimated population by sex and nationality, 2015 (million)

Nationality	Female
Irish	2,047.8
Rest of EU	195.2
Rest of world	102.8
All nationalities	2,345.8

Source: CSO, Population and migration estimates April 2015.

Health

4. The 65,909 births recorded in Ireland in 2015 represent an annual birth rate of 14.2 per thousand population. This is an increase of 8% on births recorded in 2005. The fertility rate¹ for women in Ireland in 2015 was 1.9, the second highest in the EU. The average age of first time mothers outside marriage or civil partnership was 28.1 years, compared to 25.1 years in 2005.

Table 3: Birth rate and age of mother at maternity 2007-2015

Age of mother at maternity	Total births								
	2007	2008	2009	2010	2011	2012	2013	2014	2015
15 and under	69	44	45	47	36	27	27	23	42

¹ The total period fertility rate, TPF, represents the projected number of children a woman would have if she experienced current age specific fertility rates while progressing from age 15-49 years.

16-19	2,436	2,358	2,204	1,996	1,654	1,589	1,354	1,230	1,145
20-24	8,919	9,283	8,844	8,087	7,321	6,890	6,404	6,016	5,732
25-29	16,590	17,876	18,231	17,816	16,693	15,308	13,960	13,199	12,403
30-34	24,409	25,431	25,406	26,091	26,764	26,028	25,378	24,850	23,856
35-39	15,851	16,913	17,336	17,484	17,726	17,819	17,813	18,064	18,527
40-44	2,978	3,077	3,293	3,459	3,658	3,792	3,766	3,829	3,978
45 and over	118	166	163	172	169	215	223	248	224
Age not stated	19	25	32	22	12	6	5	3	2
All ages	71,389	75,173	75,554	75,174	74,033	71,674	68,930	67,462	65,909
Birth Rate per 1,000 Population (Rate)	16.3	16.8	16.7	16.5	16.2	15.8	15.0	14.6	14.2

Source: CSO, vital statistics

5. Between 2006 and 2011 life expectancy at birth increased 1.6 years for males and 1.2 years for females and in the period 2010-2012 was 78.4 years for males and 82.8 years for females. Diseases of the circulatory system, followed by cancers, are the most common causes of death for women.

Table 4: Period Life Expectancy of Females at Various Ages (Years), 1996-2011

Sex at Age		1996	2002	2006	2011
Female	Birth	78.5	80.3	81.6	82.8
	5 years	74.1	75.7	76.9	78.1
	10 years	69.1	70.8	72	73.1
	15 years	64.2	65.8	67	68.1
	20 years	59.3	60.9	62.1	63.2
	25 years	54.4	56	57.2	58.3
	35 years	44.6	46.2	47.4	48.4
	45 years	35	36.6	37.7	38.8
	55 years	25.8	27.4	28.5	29.5
	65 years	17.4	18.7	19.8	20.6
75 years	10.4	11.2	12.1	12.7	

Source: CSO Vital Statistics

Note: Figures are calculated based on a three year period centred on the given year.

Table 5: Female deaths registered classified by cause and age group, 2015

Cause of death	Total females	Age Group						
		0-1	1-14	15-24	25-44	45-64	65-74	75 and over
All Female Deaths	14,802	90	34	46	343	1,649	2,076	10,564

Diseases of the Circulatory System	4,595	0	1	3	44	242	427	3,878
Neoplasms	4,242	0	9	8	137	981	1,040	2,067
Diseases of the Respiratory system	1,987	0	2	1	9	89	227	1,659
Mental and behavioural disorders	990	0	0	1	1	14	38	936
Diseases of the nervous system and the sense organs	868	0	9	1	16	66	120	656
Diseases of the Digestive system	446	0	0	0	19	80	53	294
External causes of injury and poisoning	419	0	5	28	90	102	45	149
Endocrine, Nutritional and metabolic diseases	333	2	2	2	7	30	34	256
Diseases of the genitourinary system	329	0	0	0	4	7	25	293
Infectious and parasitic diseases	190	1	1	1	2	12	23	150
Diseases of the musculoskeletal system/connective tissue	150	1	0	0	3	5	21	120
Congenital malformations and chromosomal abnormalities	73	44	5	0	4	9	6	5
Diseases of the blood and blood-forming organs, immunological disorders	52	0	0	0	3	9	9	31
Symptoms, signs, abnormal findings, ill-defined causes	49	2	0	1	3	1	5	37
Diseases of the skin and subcutaneous tissue	39	1	0	0	0	2	3	33
Certain conditions originating in the perinatal period*	39	39	0	0	0	0	0	0
Complications of pregnancy, childbirth and puerperium	1	0	0	0	1	0	0	0

Source: CSO Vital Statistics

Note*: stillbirths not included.

Table 6: Average incidence and mortality rates of cancer of females, 2011-2013

All invasive cancers*	Females
Number of new cases per year	9,506
Incidence rate (cases per 100,000 per year)	384
Cumulative lifetime risk of diagnosis (to age 74)	26.40%
Number of deaths per year	4,260
Mortality rate (deaths per 100,000 per year)	152.7
Cumulative lifetime risk of death (to age 74)	10.30%

Number of people with this cancer* still alive in 2013	63,240
Number alive per 100,000	2,727

Source: National Cancer Registry Ireland

Note*: invasive cancers excluding non-melanoma skin cancer

Education

6. Girls and women represent 49.5% of all students in fulltime education, and 48.7% of first level, 50.3% of second level, and 50.6% of third-level fulltime students. In the 2014/2015 school year, 131,206 females aged 15-19 years are in fulltime education, representing approximately 95% of this age cohort.

Table 7: Participation of females in fulltime education by type of institution

TYPE OF INSTITUTION ATTENDED	FEMALE
FIRST LEVEL	
Aided by the Department of Education and Skills	
National Schools	265,085
Pupils in Mainstream Classes	261,583
Pupils in Special Schools	2,664
Pupils with special needs in Mainstream National Schools	838
Non-Aided Primary Schools	2,131
TOTAL - First Level	267,216
<i>of which aided by Department of Education & Skills</i>	265,085
Aided by the Department of Education & Skills	
Junior Cycle	90,489
Secondary	52,765
Vocational	23,279
Community and Comprehensive	14,445
*Senior Cycle	77,539
Secondary	47,383
Vocational	17,967
Community and Comprehensive	12,189
Post-Leaving Certificate (PLC)	19,549
Secondary	416
Vocational	18,424
Community and Comprehensive	709
•Aided by other Departments (Agriculture/Defence)	63
Non-Aided/Commercial	1,508
TOTAL - Second Level	189,148

TYPE OF INSTITUTION ATTENDED	FEMALE
<i>of which aided by Department of Education & Skills</i>	187,577
THIRD LEVEL	
Aided by the Department of Education & Skills	
University Sector	50,854
Technology Sector	30,224
Teacher Education Colleges	5,316
Other Third Level Institutions aided by the Department of Education and Skills †	1,516
● Aided by Other Departments (Justice, Defence)	4
Non-Aided Third Level institutions	
Religious Institutions	100
Royal College of Surgeons in Ireland	1,308
Other non-aided third-level institutions	3,008
TOTAL - Third Level	92,330
<i>of which aided by Department of Education & Skills</i>	87,910
GRAND TOTAL	548,694
<i>of which aided by Department of Education & Skills</i>	540,572

Source: Department of Education and Skills

7. The rate of early school leaving for girls has fallen from 8.1% in 2008 to 5.4% in 2015.

Table 8: Female early school leavers (persons who left school with at most lower secondary education), as % of population aged 18-24, 2008-2015

Gender	2008	2009	2010	2011	2012	2013	2014	2015
Female	8.1%	8.6%	9.6%	8.8%	8.2%	6.9%	5.7%	5.4%

Source: Eurostat LFS

8. At Leaving Certificate level² over half of students taking Chemistry and Biology and a quarter of students taking Physics are female. Female and male students are entering undergraduate studies in the natural sciences, mathematics and statistics and in business, administration and law in similar numbers. 45% of female students enter undergraduate programmes in the fields of arts and humanities and health and welfare, compared to 23% of male students, reflecting the economic sectors in which women predominate (see Table 16).

² senior cycle at second level

Table 9: Students taking selected subjects of the Leaving Certificate Programme by gender, 2014/2015

Subject Code	Subject	All students taking subject			Female students taking subject	
		Male students	Female students	All Students	as % of all students taking subject	as % of all female students
1	Irish	51,170	51,412	102,582	50%	91%
2	English	55,251	54,614	109,865	50%	97%
3	Mathematics	55,207	54,637	109,844	50%	97%
20	Applied Mathematics	2,391	842	3,233	26%	1%
21	Physics	12,498	4,548	17,046	27%	8%
22	Chemistry	9,158	10,657	19,815	54%	19%
23	Physics & Chemistry	707	457	1,164	39%	1%
25	Biology	28,424	41,287	69,711	59%	73%
27	Engineering	11,191	1,024	12,215	8%	2%
29	Construction Studies	16,991	2,034	19,025	11%	4%
98	Home Economics S&S (New Syllabus)	3,634	22,273	25,907	86%	39%
109	Choir	447	2,905	3,352	87%	5%
214	Physical Education	37,543	39,413	76,956	51%	70%
<i>All students in LC, LCA, LCV programmes</i>		57,697	56,531	114,228		

Source: Department of Education & Skills, Statistical Report 2014/2015

Table 10: Female Full-time Undergraduate New Entrants in All HEA-Funded Institutions by field of study (ISCED) at 1 March 2015

Field of Study (ISCED)	Universities	Colleges	Institutes of Technology	Total Female New Entrants	% of all females
Generic programmes and qualifications	54	-	161	215	1.0%
Education	234	955	45	1,234	5.8%
Services	23	-	1,341	1,364	6.4%
Arts and humanities	3,266	517	1,104	4,887	23.1%
Social sciences, journalism and information	1,141	-	199	1,340	6.3%
Business, administration and law	1,925	-	1,708	3,633	17.1%
Natural sciences, mathematics and statistics	1,516	-	854	2,370	11.2%
Information and Communication Technologies (ICTs)	176	-	279	455	2.1%
Engineering, manufacturing and construction	386	-	288	674	3.2%
Agriculture, forestry, fisheries and veterinary	193		129	322	1.5%
Health and welfare	2,295	223	2,189	4,707	22.2%
Grand Total	11,209	1,695	8,297	21,201	
Distribution of females	52.9%	8.0%%	39.1%		

Source: HEA Annual Statistical Returns 2014/2015

Table 11: Female full-time, part-time and remote enrolments in Universities, Colleges and Institutes of Technology in the academic year 2014/2015

All Female Enrolments	Universities	Colleges	Institutes of Technology	Total	%F
FETAC Certificate			17	17	11.6%
FETAC Adv. Certificate			200	200	7.5%
FETAC Total			217	217	7.7%
Foundation (Undergraduate)	194		93	287	48.0%
Access (Undergraduate)	29	8	24	61	44.2%
Honours Bachelor Degrees	40,159	6,047	19,764	65,970	52.5%
Ordinary Degrees			9,264	9,264	36.3%
Diplomas	1,835	31	91	1,957	58.3%
Certificates	1,255	190	3,354	4,799	46.1%
Occasional	2,624	10	1,484	4,118	53.5%
Professional Training	28	46	869	943	42.2%
Undergraduate Total	46,124	6,332	34,943	87,399	49.8%
Diplomas	2,439	629	660	3,728	58.6%
Certificates	767	644	79	1,490	65.4%
Occasional	521		83	604	72.2%
Professional Training	74	276	115	465	57.3%
Ph. D.	3,651	172	277	4,100	50.3%
Masters (Research)	351	63	279	693	47.9%
Masters (Taught)	7,408	1,065	1,754	10,227	53.1%
Postgraduate Total	15,211	2,849	3,247	21,307	54.4%
Grand Total	61,335	9,181	38,407	108,923	50.1%

Source: HEA Annual Statistical Returns 2014/2015

Table 12: Female Graduates of fulltime undergraduate programmes by field of study, 2015

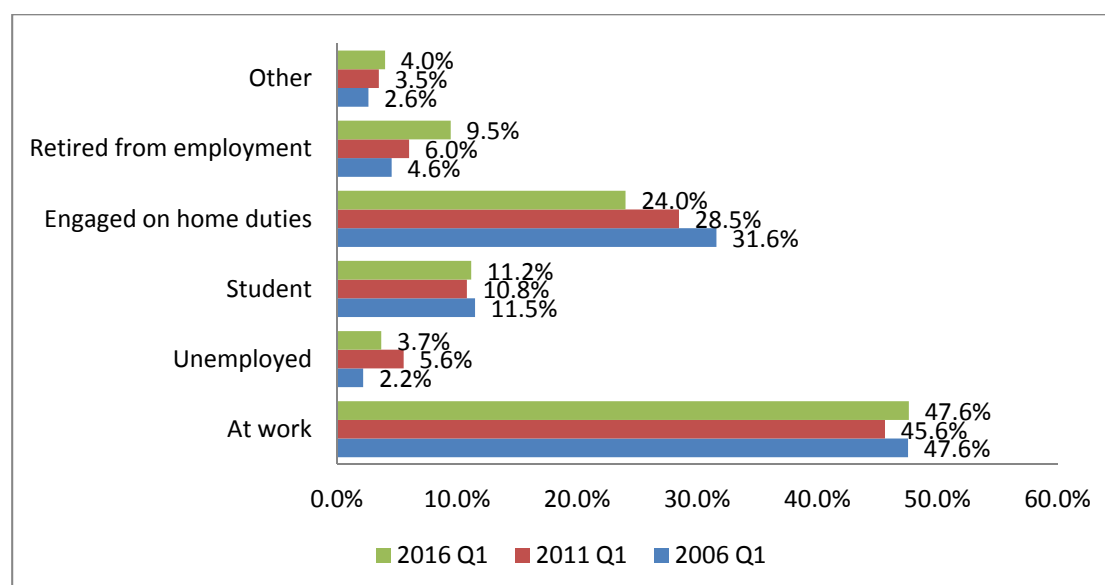
Field of Study (ISCED)	Total	% of all females
Generic programmes and qualifications	285	1.2%
Education	1,572	6.5%
Services	1,328	5.5%
Arts and humanities	4,282	17.7%
Social sciences, journalism and information	1,780	7.3%
Business, administration and law	5,316	21.9%
Natural sciences, mathematics and statistics	2,095	8.6%
Information and Communication Technologies (ICTs)	423	1.7%
Engineering, manufacturing and construction	773	3.2%
Agriculture, forestry, fisheries and veterinary	358	1.5%
Health and welfare	6,028	24.9%
Grand Total	24,240	

Source: HEA Annual Statistical Returns 2014/2015

Employment

9. The participation rate of women in the labour market in 2016 is approximately 53%, while the proportion of women principally engaged in home duties has reduced by over 7 percentage points since 2006. Labour market participation is highest among single women aged 25-34 years, at 79.4%, while for married women of the same age, the rate is 71.8%.

Graph 13: Principal Economic Status of Females aged 15 years and over, Q1 2006, 2011 and 2016



Source: CSO QNHS, Statbank

Table 14: ILO Participation and Unemployment Rates (%), Seasonally Adjusted, Q1 2006, 2011 and 2016

Gender	Period	ILO Participation Rates (15 years and over)	ILO Unemployment Rates (15 - 74 years)
Female	2006 Q1	52.7	4.3
	2011 Q1	52.7	10.5
	2016 Q1	52.9	6.5
Male	2006 Q1	73.3	4.6
	2011 Q1	68.0	17.6
	2016 Q1	67.4	9.9

Source: CSO QNHS, Statbank

Table 15: ILO Participation Rates (%) of Women, by Marital Status and Age Group, Q1 2016

Age group	Marital Status				
	Single - never married	Married	Separated or divorced	Widowed	All marital status
15 - 19 years (*)	13.5	..	..	..	13.4
20 - 24 years (*)	55.3	..	..	..	55.0
25 - 34 years (*)	79.4	71.8	69.6	..	76.5
35 - 44 years (*)	75.3	73.4	68.5	..	73.7
45 - 54 years	73.3	69.1	66.8	55.2	69.2
55 - 59 years	57.8	62.6	64.0	60.8	62.1
60 - 64 years	37.5	39.1	46.9	33.7	39.2
65 years and over	4.3	6.7	8.3	3.8	5.5
<i>15 years and over</i>	<i>56.2</i>	<i>56.0</i>	<i>54.9</i>	<i>12.7</i>	<i>52.4</i>

Source: CSO QNHS, Statbank

Note: (*) excludes population estimates of less than 1,000.

10. Almost half of all women currently in employment are concentrated in three economic sectors, health, wholesale and retail trade, and education.

Table 16: Persons aged 15 years and over in Employment (Thousand) by Region, Sex and Economic Sector, Q1 2016

Economic sector	Male	Female	All persons	% of males	% of females
Agriculture, forestry and fishing (A)	96.6	12.7	109.3	9.0%	1.4%
Industry (B to E)	178.9	71.1	250.0	16.7%	7.8%
Construction (F)	123.3	8.0	131.3	11.5%	0.9%

Wholesale and retail trade, repair of motor vehicles and motorcycles (G)	140.6	131.9	272.5	13.2%	14.5%
Transportation and storage (H)	79.0	16.0	95.0	7.4%	1.8%
Accommodation and food service activities (I)	67.0	75.5	142.4	6.3%	8.3%
Information and communication (J)	60.2	25.1	85.2	5.6%	2.8%
Financial, insurance and real estate activities (K,L)	46.5	54.2	100.7	4.4%	6.0%
Professional, scientific and technical activities (M)	64.5	45.8	110.3	6.0%	5.0%
Administrative and support service activities (N)	35.7	32.5	68.2	3.3%	3.6%
Public administration and defence, compulsory social security (O)	49.8	48.8	98.5	4.7%	5.4%
Education (P)	37.5	116.4	153.9	3.5%	12.8%
Human health and social work activities (Q)	46.0	202.6	248.7	4.3%	22.3%
Other activities (R to U)	40.1	63.9	104.1	3.8%	7.0%
Not stated(*)			6.3		
All economic sectors	1,068.4	908.1	1,976.5		

Source: CSO QNHS, Statbank

Note: (*) excludes population estimates of less than 1,000.

11. In 2016, 43% of women in employment worked less than 35 hours a week, compared to 13% of men. A further 30% of women work 35-39 hours a week.

Table 17: Persons aged 15 years and over in Employment (Thousand) by Sex and Usual Hours Worked, Q1 2016

Usual hours worked	Male	Female	All persons	% of all males	% of all females
1-9 hours	11.6	25.8	37.4	1.1%	2.8%
10-19 hours	38.6	93.9	132.6	3.6%	10.3%
20-29 hours	65.8	186	251.8	6.2%	20.5%
30-34 hours	27.1	80.5	107.6	2.5%	8.9%
35-39 hours	281.5	271.4	552.9	26.3%	29.9%
40-44 hours	320.8	153.6	474.4	30.0%	16.9%
45 hours and over	195.3	42.4	237.7	18.3%	4.7%
Variable hours (see note)	127.7	54.5	182.2	12.0%	6.0%
Usual hours worked	..	..	..
All hours worked	1068.4	908.1	1976.6		

Source: CSO QNHS, Statbank

Note: (*) excludes population estimates of less than 1,000.

12. Families avail of formal childcare for 28% of children aged less than 3 years and 89% of children between 3 years and school age.

Table 18: Formal child care by duration and age group

Age Group	Type of formal childcare*	% of all children in the same age group							
		2007	2008	2009	2010	2011	2012	2013	2014
Less than 3 years	no formal childcare	77	76	80	71	79	69	72	73
	childcare from 1-29 hrs weekly	13	16	15	21	10	21	19	19
	childcare 30hrs or more weekly	11	8	5	8	11	10	10	9
Between 3 years and compulsory school age	no formal childcare	14	15	13	10	18	11	10	11
	childcare from 1-29 hrs weekly	71	72	74	73	68	74	68	66
	childcare 30hrs or more weekly	15	13	13	17	14	15	21	23

Source: Eurostat

Note*: This includes education at pre-school, education at compulsory school, childcare at centre-based services outside school hours and childcare at day-care centre, and excludes direct care by childminders.

13. Between 2006 and 2011 the gender pay gap in Ireland is estimated to have fallen by 5.5 percentage points to 11.7%. The most recent estimate, for 2012, is 14.4%.

Table 19: Gender Pay Gap³

	2006	2007	2008	2009	2010	2011	2012
Ireland	17.2	17.3	12.6	12.6	13.9	11.7	14.4
EU Average	n/a	n/a	n/a	n/a	16.1	16.5	16.6

Source: Eurostat, EU SES

³ The EU unadjusted gender pay gap published by Eurostat represents the difference between average gross hourly earnings of male paid employees and of female paid employees as a percentage of average gross hourly earnings of male paid employees. It is based on the population of all paid employees in enterprises with 10 employees or more in all economic sectors with the exception of agriculture, forestry and fishing, public administration and defence, activities of households as employers and activities of extraterritorial organisations and bodies.

14. The proportion of women in employment who expect to have a personal pension on retirement (occupational, personal or State pension) increased by over 10 percentage points to 75.2%, between 2009 and 2015.

Table 20: Females in employment (ILO) aged 20 to 69 years classified by main expected source of income on retirement, Q4 2009 and Q4 2015

Main expected source of income on retirement (%)	Q4 2009	Q4 2015
State social welfare pension	27.8	36.1
Occupational or personal pension	36.8	39.1
Spouse or partner's occupational or personal pension	9.7	9.3
Savings or investments, sale of business, farm or other property	4.7	4.6
Other	0.5	1.9
Don't know	20.5	8.9

Source: CSO, QNHS Pension Provision Module Q4 2015

15. The Equality Tribunal and the Workplace Relations Commission has established a significant body of case law on discrimination in employment and access to goods and services. (In Table 21, EE refers to employment equality and ESA to the Equal Status Act.)

Table 21: Cases referred and decisions issued on the gender ground by the Equality Tribunal/WRC

Referred		2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Gender	EE & Pension	88	75	79	79	95	43	64	62	77	52	714
	ESA	12	7	6	4	5	5	6	3	9	4	61
	Total	100	82	85	83	100	48	70	65	86	56	775
All grounds	EE & Pension	408	462	667	842	780	714	517	538	570	607	6,105
	ESA	223	166	185	154	126	107	154	133	124	158	1,530
	Total	631	628	852	996	906	821	671	671	694	765	7,635

Decisions issued		2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Gender	EE & Pension	18	26	27	31	13	11	17	12	70	37	262
	ESA	1	4	2	5	4	1	0	1	9	5	32
	Total	19	30	29	36	17	0	0	0	79	42	294
All grounds	EE & Pension	62	63	77	76	125	266	267	202	203	102	1,443
	ESA	82	94	94	123	87	56	67	46	19	29	697
	Total	144	157	171	199	212	322	334	248	222	131	2,140

Source: Workplace Relations Commission

Poverty reduction

16. A national target for poverty reduction has been set which applies to women and men. From the 2010 baseline rate of 6.3%, the aim is to reduce consistent poverty⁴ to 4% by 2016 and to 2% or less by 2020. The National Action Plan for Social Inclusion 2007-2016 was recently extended to 2017 and updated to better reflect the current issues and interventions to tackle poverty and social exclusion.

17. In Table 22, 2014 shows the first decrease in the national consistent poverty and basic deprivation rates in the period 2010-14, while the rates for women remain higher than for men. The general increase in at-risk-of-poverty is primarily due to the rise in the at-risk-of poverty income threshold, which in turn reflects an increase in incomes.

Table 22: Poverty Indicators 2010-2014, by gender

Indicator	Cohort	2010	2011	2012	2013	2014
Consistent poverty	National rate	6.3%	6.9%	7.7%	8.2%	8.0%
	Male	5.8%	6.9%	7.8%	8.0%	7.8%
	Female	6.8%	6.9%	7.6%	8.5%	8.3%
Basic deprivation	National rate	22.6%	24.5%	26.9%	30.5%	29.0%
	Male	21.7%	23.0%	26.4%	29.6%	27.9%
	Female	23.5%	26.0%	27.4%	31.4%	30.1%
At-risk-of-poverty	National rate	14.7%	16.0%	16.5%	15.2%	16.3%
	Male	14.3%	16.3%	16.3%	15.1%	16.0%
	Female	15.1%	15.6%	16.7%	15.4%	16.5%

Source: CSO SILC, various years

Participation in political and public decision-making

18. Women constitute 22% of the membership of Dáil Éireann (the lower house of parliament) and 30% of the Seanad (the upper house).

Table 23: Election of women to Dáil Éireann, 1997-2016

Year	Candidates		Elected	
	No. Women	% of total	No. Women	% of total
1997	97	20.0%	20	12.0%
2002	84	18.1%	22	13.3%

⁴ Consistent poverty is the overlap of two component indicators: at-risk-of-poverty, which measures individuals whose household income is below 60% of the median, and basic deprivation which captures individuals lacking 2 or more of 11 basic necessities. A person is in consistent poverty if he or she is both income poor and deprived.

2007	82	17.4%	23	13.8%
2011	86	15.2%	25	14.8%
2016	163	29.6%	35	22.2%

Source: Oireachtas

Table 24: Women elected or nominated to Seanad Éireann, 1997-2016

Year	Nominated by Taoiseach	Elected			% of total
		Panels	Universities	No. Women	
1997	3	7	1	11	18.3%
2002	2	7	1	10	16.7%
2007	4	8	1	13	21.7%
2011	8	10	1	19	31.7%
2016	4	11	3	18	30.0%

Source: Oireachtas

19. In the 2014 local elections, women won 197 (21%) of the seats across the 31 local authorities. This compares with 16.3% female representation in the membership of local authorities in 2001, and 19% in 2009.

20. The proportion of women employed in the Civil Service at the most senior grades, Principal Officer and above, has increased from 23.6% in 2006, to 33.3% in 2014.

Table 25: Women in Civil Service employment by grade, 2014

Grade	Total staff (male & female)	Proportion of Women
Secretaries General, Second Secretaries and Deputy Secretaries	264	24%
Assistant Secretaries and equivalents		25%
Principal Officer and equivalents	1,189	35%
Assistant Principal and equivalents	3,424	43%
Higher Executive Officers, Administrative Officers and equivalents	6,217	52%
Executive Officers and equivalents	5,769	59%
Staff Officers and equivalents	1,552	76%
Clerical Officers and equivalents	11,632	74%
Other Grades	5,385	38%
All Grades	35,432	60%

Source: Department of Public Expenditure and Reform

21. At present, 35% of Irish judges are female. In the District Court, 31% or 19 out of 61 are female. The Circuit Court has 40% female representation. In the High Court women constitute 29% of the judges and in the Supreme Court the figure is 56%.

Table 26: Female membership of the Judiciary, April 2016

Court	No. of Female Judges	% of total
Supreme Court	5	55.6%
Court of Appeal	2	22.2%
High Court	11	28.9%
Circuit Court	15	40.5%
Specialist Judges	4	66.7%
District Court	7	38.9%
District Court - provincial judges	7	28.0%
District Court - moveable judges	5	27.8%
All Courts	56	35.0%

Source: Courts Service

22. At present, 6% of the Permanent Defence Force (552 of a total strength of 9,147) are female. The proportion of An Garda Síochána (the Irish police force) which is female has increased from 14% in 2002 to 26% in 2015 and the Garda is now led by a female Commissioner.

Table 27: Membership of An Garda Síochána by rank and gender, 2015

Rank	No. of Female Officers	% of total
Commissioner	1	100%
Deputy Commissioner	0	0%
Assistant Commissioner	0	0%
Chief Superintendent	5	11%
Superintendent	14	9%
Inspector	28	11%
Sergeant	308	17%
Gardaí	2,976	28%
All ranks	3,332	26%

Source: Department of Justice and Equality

23. Female representation in the senior diplomatic staff increased from 16% in 2002 to 29% in 2016.

Table 28: Female diplomatic staff in the Department of Foreign Affairs, 2002 and 2016

Grade	2002		2016	
	No. Female	% of total	No. Female	% of total
Secretary General	0	0.0%	0	0.0%
Second Secretary General & Ambassador Grade I	0	0.0%	1	25.0%

Deputy Secretary & Ambassador Grade II	1	20.0%	1	33.3%
Assistant Secretary & Ambassador	4	11.1%	3	13.6%
Counsellor	13	19.1%	23	34.8%

Source: Department of Foreign Affairs

24. In December 2015, 43% of the 219 State boards with serving members had met the Government target of 40% representation of each gender, while the average female representation among board members was 37.5% and among chairpersons was 25.7%.

Collection and analysis of data to relevant to the Convention

25. Under both national and EU law, the Central Statistics Office (CSO) has a formal coordination role across the public service in relation to official statistics. The gathering and use of data for statistical purposes in the Public Service is governed by the Irish Statistical System Code of Practice for Official Statistics, published in 2013.

26. Since 2004, the CSO has published nine editions in its Women and Men in Ireland series⁵, and the next edition is due for publication in 2017. This report uses 70 indicators to identify the important gender differences.

⁵ <http://www.cso.ie/en/statistics/womenandmeninireland/>

Reply to the issues raised in paragraph 2

Awareness and invocation of Convention rights

27. The general framework within which human rights are promoted at the national level in Ireland is described in Part C of Ireland's common core document⁶, paragraphs 132 to 157. The statutory functions of the Irish Human Rights and Equality Commission (IHREC) include promoting understanding and awareness of the importance of human rights and equality in the State, including in regard to CEDAW and other human rights instruments. Between 1998 and 2014 this function was fulfilled by the Equality Authority. IHREC was established on 1 November 2014 on the merger of the Authority and Irish Human Rights Commission as an independent statutory body to protect and promote human rights and equality in Ireland and build a culture of respect for human rights, equality and intercultural understanding across Irish society.

28. A questionnaire on equality, included as a special module in the Central Statistics Office's Quarterly National Household Survey (QNHS)⁷ in 2004, 2010 and 2014, has provided information on perceptions of the incidence of discrimination and of knowledge of rights under Irish equality law. In 2014, 13% of female respondents stated they had experienced discrimination in the previous two years, with 14% of these women reporting gender discrimination. In comparison, only 3% of men who reported experiencing discrimination referred to the gender ground. Just over a quarter (26%) of people aged 18 or over indicated they had a good understanding of their rights under Irish equality legislation, while 55% felt they had a little understanding. In contrast, 19% of people stated they had no understanding of their rights, with no difference between men and women.

29. The Citizens Information Board is the statutory body charged with supporting the provision of information, advice and advocacy services on a wide range of public and social services. The Service gives information, advice and signposting to appropriate organisations. Its website, www.citizensinformation.ie, carries general information on all forms of discrimination and provides links to relevant legislation and organisations. During 2015, the page on equality in the workplace received over 80,000 page views, the page on disputes about equality and discrimination almost 37,000 and that on IHREC over 10,000.

Gender discrimination cases

30. Complaints of discrimination on the gender ground may be made in the first instance either to the Workplace Relations Commission (WRC) (and prior to its establishment, the Equality Tribunal), or to the courts. The vast majority of complaints under equality law have been made by the Equality Tribunal and the WRC, while only a handful of cases come before the courts each year. While most of the decisions of the Irish superior courts are also publicly available, the District and Circuit Courts do not generally deliver written judgements. Statistics and written decisions are not readily available for complaints referred to the courts.

⁶ Add link and reference to Common Core document 7 Feb 2014.

⁷ CSO QNHS Equality Module. published 31/08/2015.

<http://www.cso.ie/en/releasesandpublications/er/q-eq/qnhsequalitymodulequarter32014/>

31. Complaints to the WRC proceed to mediation and/or investigation. Mediated settlements are confidential to the parties and are not published. Written decisions are provided and published following investigation. The searchable database of decisions⁸ contains the outcomes of complaints decided since 1996. Decisions of the WRC are taken under specified legislation, including the Employment Equality and Equal Status Acts, and therefore the question of the Convention being invoked does not arise. Of course, provisions of the Convention are incorporated in Irish law by means of these Acts.

32. A review commissioned by the Equality Authority, "Selected issues in Irish equality case law 2008-2011", includes analysis of gender discrimination cases. Between 2005 and 2014, approximately 10% of all complaints to the Equality Tribunal/WRC were referred on the gender ground (see Table 21). Of these 775 complaints, 714 related to employment or pensions, and 61 related to the provision of goods and services. The Equality Tribunal/WRC issued 2,140 written decisions between 2005 and 2014, of which 294 related to complaints on the gender ground, 262 under the Employment Equality or Pensions Acts and 32 under the Equal Status Acts. The main issues arising on the gender ground relate to equal pay, access to employment and promotional opportunities, pregnancy discrimination including pregnancy related dismissals, and sexual harassment.

33. Information on the CEDAW Convention, its Optional Protocol and the Committee's General Recommendations is disseminated on the website www.genderequality.ie, launched in 2013 and maintained by the Department of Justice and Equality.

34. Under the Court and Court Officers Act 1995, the Judicial Studies Institute (now the Committee for Judicial Studies) was established in 1996 to provide for the training and for the on-going education of the Judiciary. Training is provided through conferences, seminars and lectures, and an induction and mentoring programme has been put in place since 2013 for all new judges. All judges have access to the bench book, "the Equal Treatment of Persons in Court – guidance for the judiciary" which was compiled with the assistance of the Equality Authority and which has recently been updated. While the Convention has not been specifically referred to in judicial training, members of the judiciary have received training on matters relating to family law and domestic violence at conferences and seminars organised by the Committee for Judicial Studies and by external organisations. In 2016 to date these issues have been discussed at the Circuit Court and District Court Conferences. In 2015, the quarterly training session for District Court judges focused on issues arising on breach of Domestic Violence Orders and on the enforcement of Maintenance Orders, while the role and rights of victims and the EU Victims Directive were discussed at national conferences of judges.

⁸ www.workplacerelations.ie/en/Decisions_Determination

Reservations

Reply to the issues raised in paragraph 3

Ireland's general policy on reservations

35. Ireland acceded to the Vienna Convention on the Law of Treaties on 7 Aug 2006. As set out in the core document HRI/CORE/IRL/2014, para. 81), the Government has a policy of keeping existing reservations to human rights treaties actively under review, consistent with the Vienna Declaration and Program of Action.

36. While the objective of the CEDAW Convention is to eliminate discrimination against women, it is specifically stated that the Convention rights set out in Articles 13(a) and 16.1(d) and (f) are to be secured "*on the basis of equality between men and women*". The provisions relate respectively to social benefits and to the guardianship and custody of children, areas in which, in Ireland, women are sometimes treated more favourably than men. The reservations to these Articles entered by Ireland in acceding to the Convention were designed to preserve this situation.

Constitutional, legislative and institutional framework

Reply to the issues raised in paragraph 4

Incorporation of international obligations into domestic law

37. As a dualist state with a common law legal tradition, to date various provisions of the Constitution and of legislation have given effect to the Convention.

38. An examination of the methodology and models of implementing international obligations and the monitoring of and accountability for state obligations has been undertaken by the Law Reform Commission in a project which commenced in 2014. The aims of the project include to provide an inventory of methods of transposition used in Ireland and other jurisdictions, and to explore and evaluate such methods and make observations in terms of their efficacy and efficiency. This work is in its early stages and publication is not expected before the end of 2016.

39. The sanctions provided for in equality law are effective, proportionate and dissuasive, and applicable to the public and private sectors. Separate awards may be made in respect of discrimination, harassment, sexual harassment and victimisation and significant orders for compensation have been made. Equality legislation also provides for the making of orders for specific action to be taken as warranted in a case, for example the implementation of a code of practice, equality action plan etc and provision of training to staff. The statutory functions of IHREC include providing practical assistance to persons in vindicating their rights, which contributes to the accessibility of these remedies to disadvantaged groups of women.

Review of Article 41.2 of the Constitution

40. In its Programme for a Partnership Government, published in May 2016, the Government has proposed to hold a referendum on Article 41.2.1 of the Constitution regarding a “woman’s life within the home”. This question (among others) was examined by the Convention on the Constitution (consisting of randomly selected members of the electorate together with parliamentarians) which reported on it in May 2013. The recommendations of the Convention were subsequently examined and reported on by a Task Force of officials. However, it did not prove possible to bring forward proposals for Constitutional change in the lifetime of the last Government.

Definition of discrimination

41. Ireland has comprehensive and robust equality legislation in place, applicable both in the public and private sectors, which prohibits discrimination on nine specified grounds, including gender. The legislation is designed to promote equality, prohibit discrimination, harassment, sexual harassment and victimisation, and allow positive measures to ensure full equality. A comprehensive definition of discrimination encompasses prohibitions on direct and indirect discrimination, discrimination by association and instruction to discriminate. Equality legislation is kept under review and amended as necessary.

Establishment of IHREC

42. IHREC has its own budget Vote and was allocated Exchequer funding of €6.299 million in 2014, €6.334 million in 2015, and €6.306 million in 2016. It reports directly to the Oireachtas on expenditure with its Director being directly accountable

to the Public Accounts Committee, the Parliamentary Committee responsible for oversight of public expenditure.

43. As a single independent body, IHREC has a broad mandate to promote both human rights and equality in a more effective, efficient and cohesive way than was the case under separate bodies. In January 2016, IHREC launched its first strategy statement for the period 2016-2018, informed by a comprehensive nationwide consultation. Among those consulted were young people and individuals and members of groups who have direct experiences of discrimination and human rights issues.

Public Service duty

44. A significant innovation in Irish Human Rights and Equality Commission Act 2014, was the introduction of a positive duty on public bodies to have due regard to human rights and equality in their work and to conduct their business in a manner consistent with human rights. IHREC will also assist public bodies to comply with the positive duty, including by producing guidelines and codes of practice. This will lead to the systematic integration of an equality and human rights perspective into everyday work of public bodies. Implementation of the public sector duty has been included as a priority goal for IHREC's first strategic cycle and, as a public body, it has included a declaration in its strategy statement on its own compliance with the obligation.

45. Recruitment of a dedicated staff member to manage the Public Service duty work programme is underway and planned activities will include pilot projects to test out approaches to the implementation of the duty.

46. To date, IHREC has carried out research with key stakeholders in Ireland and the UK on insights to be learnt from the implementation of public sector equality and human rights duty models in other jurisdictions. IHREC has met with public bodies to advise them of their obligations under the new duty and engaged proactively with the local authorities with a view to developing two pilot sites in 2016. IHREC and the Institute of Public Administration are developing a Diploma on Human Rights and Equality for civil and public servants, focused on the public duty, with the first cohort of students due to begin their studies in September 2016.

Constitutional provision on the right to life of the unborn

47. The Government have made a commitment in their Programme for Government to establish a Citizen's Assembly within six months of the Government taking office to make recommendations to the Dáil on constitutional changes, including on the right to life of the unborn.

Access to justice

Reply to the issues raised in paragraph 5

48. The Inter-Departmental Committee to establish the facts of State involvement with Magdalen Laundries took the opportunity to record evidence that might throw light on allegations of systematic abuse. In this context 118 women who had been in these institutions agreed to complete a questionnaire on conditions in these institutions and/or to discuss these issues with the independent Committee Chair.

49. No factual evidence to support allegations of systematic torture or ill treatment of a criminal nature in these institutions was found. The majority of women did report verbal abuse but not of a nature that would constitute a criminal offence. There is no doubt that the working conditions were harsh and work physically demanding. A small number of women did describe instances of physical punishment during their time in the institutions. However, the large majority of women said they had neither experienced nor seen other girls or women suffer physical abuse in the Magdalen Laundries.

50. While isolated incidents of criminal behaviour cannot be ruled out, in light of facts uncovered by the McAleese Committee and in the absence of any credible evidence of systematic torture or criminal abuse being committed in the Magdalen laundries, the Irish Government does not propose to set up a specific Magdalen inquiry or investigation. It is satisfied that the existing mechanisms for the investigation and, where appropriate, prosecution of criminal offences can address individual complaints of criminal behaviour if any such complaints are made.

51. The Government has made it clear on a number of occasions that if any woman has been a victim of criminal behaviour, she should report it and it will be investigated. If the alleged abuse constitutes criminal behaviour, the police have full powers to investigate and the Director of Public Prosecutions then decides whether or not there should be a criminal prosecution.

52. The Compensation Scheme of lump-sum payments and supports for women who were in the Magdalen Laundries was welcomed by the majority of the women concerned. To date, a decision has been made on over 99% of the 807 applications received. Lump sum payments have been made to 624 applicants (which include 126 applicants from the UK, 2 from Australia, 1 from Cyprus, 1 from Switzerland and 8 from the USA), at a cost of over €23m. The remaining applications are being dealt with as quickly as possible and the Scheme remains open to new applications. In addition to the lump sum, each woman is entitled to a top-up payment to bring her weekly income from the Irish State up to the equivalent of the Irish Contributory Pension, €233.30 if 66 or over and €100 if under that age, in recognition of the fact that they were not paid for the work they did while in the laundries.

53. The Redress for Women Resident in Certain Institutions Act 2015 provided for certain services to be made available by the Health Service Executive (HSE) to the women. The services, which are free of charge, include GP services, prescribed drugs,

medicines, aids and appliances, dental, ophthalmic and aural services, home support, home nursing, counselling services, chiropody, podiatry and physiotherapy. The HSE is putting administrative arrangements in place for health and social services for women living outside Ireland.

54. A Dedicated Unit was set up in the Department of Justice and Equality to process applications and to make lump sum payments. Officials also provide assistance and advice to the applicants on any aspect of the scheme. The Department of Social Protection, which is responsible for the top-up payments, has nominated contact people with whom the women can discuss their entitlements in confidence. Nominated contact people are also available in the HSE to advise the women on their access to health services.

Assisted Decision-Making (Capacity) Bill 2013

55. The Assisted Decision-Making (Capacity) Act 2015 became law on 30 December 2015. Commencement of the Act is planned in the second half of 2016.

Reply to the issues raised in paragraph 6

Mandate of the Commission of Investigation into the Mother and Baby Homes and Certain Related Matters

56. The three-person Commission of Investigation into Mother and Baby Homes and Certain Related Matters⁹ was established by Government Order (S.I. No. 57/2015) in February 2015 to provide a full account of what happened to women and children in these Homes during the period 1922 to 1998.

57. The scope of the Commission's investigation is broad, and includes seven specific questions on practices and procedures regarding the care, welfare, entry arrangements and exit pathways for the women and children in these institutions.

58. It is also intended to take maximum advantage of the investigative powers, resources and expertise of the Commission to ensure that any additional matter which the Commission may deem to warrant investigation can be brought to the attention of Government. This is not limited to matters within the direct scope of its investigations, but may also include issues which it considers to warrant further investigation in the public interest.

59. The Commissions of Investigation Act 2004, under which the Commission was established, requires persons to preserve relevant information and/or documents until the investigation concludes. Any person who contravenes this requirement is guilty of an offence. In addition the Act provides a wide range of coercive powers to assist the investigation. For example, the Commission has powers to give directions to attend and to answer questions; to demand persons to disclose and to produce documents; to enter and inspect premises and to seize documents and equipment. In accordance with section 9 of the Act, the Commission is fully independent in the conduct of its investigations.

60. The Commission's mandate is not limited but, rather, broad and comprehensive. Its remit is to provide a full account of what happened to women and children in 14 named Mother and Baby Homes and a representative sample of County Homes during the period 1922 to 1998. It is also asked to examine both the wider social and historical context in which these Homes existed and to investigate the relationships these Homes had with other institutions and organisations in relation to several specified matters.

61. The composition and competencies of the Confidential Committee are matters for the Commission to decide, as set out in Section 3 of the Schedule to the Government Order.

Access to information on adoption

62. The Adoption (Information and Tracing) Bill 2015 provides that adopted persons will have a statutory entitlement to any non-identifying information held on record. The purpose of the provision requiring applicants for a birth certificate to sign a declaration agreeing to respect the privacy of their birth parent and not to contact their birth parent or ask anyone else to make contact on their behalf is to provide for a

⁹ www.mbhcoi.ie

balancing of the rights of adopted persons to information about their identity with the birth parents' right to privacy. The right to privacy has been recognised by the courts as one of the unspecified personal rights protected by Article 40.3 of the Constitution. For the Bill to be legally sound, it must include safeguards to protect this constitutional right.

Reply to the issues raised in paragraph 7

63. Symphysiotomy was an exceptional and rare intervention in obstetric practice in Ireland. It occurred in less than 0.05% of deliveries between 1940 and 1985. Successive Irish Ministers and the Department of Health have aimed to find out the facts about symphysiotomy in order to bring closure for the women affected by it and their families.

64. The Department of Health's Chief Medical Officer commissioned an independent research report¹⁰ into the practice of symphysiotomy in Ireland between 1944 and 1984. This report by Professor Oonagh Walsh, Professor of Gender and Medical History, University College Cork and now at the Glasgow Caledonian University, was produced in May 2013. The report stated that post-natal check-ups indicated no disabilities for some women, but that others reported disability including incontinence, chronic pain, difficulty in walking and sexual dysfunction.

65. In 2013 retired Judge Yvonne Murphy was commissioned by Government to undertake a further independent review¹¹ on the legal aspects of symphysiotomy in Ireland. Judge Murphy advised Government on the merits and costs of proceeding with an ex gratia scheme relative to taking no action and allowing the court process to proceed.

66. The Government has published both reports and acted on the recommendations. Ireland is willing to provide copies of these reports to the Committee.

67. Based on the evidence available to the Department of Health, it would appear that in a number of cases the procedure was carried out without a woman's knowledge or consent. However, this was not so in all hospitals. It would also appear that the lapse of time, the demise of the clinicians involved and the paucity of records may make it difficult to establish whether reasonable efforts to obtain consent were made. Hospital records in some instances show that it was an elective procedure. The symphysiotomies in Our Lady of Lourdes Hospital, Drogheda include a high number of elective procedures, carried out with patient consent. Until the 1960s it was common for many women to only present for a hospital delivery once complications had set in. Judge Murphy found that a court is not likely to hold that it was necessary to have obtained an informed consent in unexpected lifesaving emergency situations of obstructed delivery during labour.

68. There is no evidence available to the Department of Health that symphysiotomy was performed on children without consent of their parents.

69. Following examination of these two independent reports, it was agreed in July 2014 to establish the ex-gratia Surgical Symphysiotomy Payment Scheme. This was

¹⁰ Prof. Oonagh Walsh, 'Report on Symphysiotomy in Ireland 1944-1984', (2013), available at <http://health.gov.ie/wp-content/uploads/2014/07/Final-Final-walsh-Report-on-Symphysiotomy1.pdf>

¹¹ Judge Yvonne Murphy, 'Independent Review of Issues relating to Symphysiotomy', (2014), available at <http://health.gov.ie/wp-content/uploads/2014/07/Scanned-Murphy-report-redacted-version1.pdf>

designed following engagement by the Minister for Health with all three support groups, two of which welcomed its establishment. It provides an alternative, non-adversarial option for women, many of whom are elderly and do not wish to pursue their cases through the courts. It also gets around the problems of lack of access to clinical records and the situation where the doctors concerned have died.

70. The Scheme caters for women who underwent the procedure between 1940 and 1990. The Assessor is a retired High Court Judge. The Scheme is voluntary. Women may opt out of the Scheme at any stage in the process, up to the time of accepting their award - it is only then that a woman must agree to discontinue legal proceedings.

71. 578 applications were accepted and, up to 21st March 2016, 400 offers have been made. Of the offers made, 386 have been accepted and only one offer has been rejected. The offers range from €50,000 to €150,000. The awards plus legal costs come to approximately €31m to mid-April 2016. The Assessor has now completed all assessments and is in the process of writing her report to the Minister.

72. The Government has stated that it profoundly regrets the serious and damaging effects symphysiotomy has had on many women and their families. It believes that the provision of the Scheme, together with the ongoing provision of medical services by the HSE, represents a comprehensive response to this issue. The health and social services provided to women who have had a symphysiotomy include: the provision of: medical card; independent clinical assessments/advice (including, where requested a home assessment by an occupational therapist or physiotherapist); the arrangement of appropriate fast tracked follow-up care where possible; the provision of counselling, physiotherapy and home help services; and the arrangement of home modifications where necessary; A support group was established in 2004 and is still ongoing. Services are available on request by the women from the HSE nominated Symphysiotomy Liaison Officers based around the country.

National machinery for the advancement of women

Reply to the issues raised in paragraph 8

Overview of national machinery

73. The institutions and national machinery for the promotion of human rights and equality between women and men in Ireland are set out in the core document (HRI/CORE/IRL/2014, para. 100-130). Recent developments in regard to IHREC are described at paragraphs 27, 41, 44-48, and 84 of this report.

Workplace Relations Commission

74. The WRC was established on 1 October 2015 as an independent statutory body and assumed the functions previously carried out by the National Employment Rights Authority, the Labour Relations Commission and the Equality Tribunal. It has also taken over some of the functions of the Employment Appeals Tribunal while the appeal functions of the EAT have been transferred to the Labour Court, which is now the single appeal body for all workplace relations appeals. Its core services include inspection of employment rights compliance, provision of information on equality and employment rights legislation, and provision of mediation, conciliation, facilitation and advisory services.

Department of Justice and Equality

75. A dedicated Gender Equality Division in the Department of Justice and Equality has a coordinating role in respect of the National Women's Strategy 2007-2016, carries out specific commitments in the Programme for Government on gender equality, and monitors and reports on national and international commitments. The Division has responsibility also for a positive actions budget targeted at women.

National Women's Strategy

76. Initiatives to foster gender equality, including the National Women's Strategy 2007-2016, are set out in the core document (HRI/CORE/IRL/2014, para. 174-192).

77. Positive impacts of the Strategy were identified in the 2014 mid-term review, in employment, standard of living, health, education, and arts and culture. Key outcomes include the establishment of separate executive offices to co-ordinate the responses to violence against women and to human trafficking, which have prepared strategies and oversee their implementation with outcomes monitored and published annually. Other significant achievements include the universal availability of breast and cervical cancer screening services; including the extension of breast screening up to the age of 69; a narrowing of the gender pay gap to 14.4%; increased supports for female entrepreneurs; professionalization of the childcare sector; and a significant focus on gender issues within Ireland's development aid programme. The programme of work on sexual and reproductive health has been particularly successful. Through the Crisis Pregnancy Programme, the number of teen births halved from 1998 to 2012, a period which saw total births increase by 25%.

78. The social partners and civil society participate in the monitoring committee overseeing implementation of the strategy. In monitoring progress, attention was paid where possible to the vulnerable groups of women.

79. The Government has included a commitment in its Programme for a Partnership Government¹² to develop an integrated framework for social inclusion which will outline measures to help eliminate any persisting discrimination, on grounds including that of gender. This integrated framework will draw on existing as well as new strategies, in particular an updated National Women's Strategy to be published by end 2016.

Gender mainstreaming

80. Measures taken to promote equality mainstreaming, including gender mainstreaming, are set out in the core document (HRI/CORE/IRL/2014, para. 170-173).

Gender impact analysis of budget

81. At present, the Department of Social Protection promotes the implementation of poverty impact assessments and/or social impact assessments of significant policy proposals, with a view to poverty reduction. Gender impact is analysed as part of both poverty and social impact assessments.

82. Poverty Impact Assessment is a requirement under the National Action Plan for Social Inclusion 2007-2016, the Revised Regulatory Impact Assessment (RIA) Guidelines 2009, and Section 3.4 of the Cabinet Handbook for preparing Memoranda for Government.

83. In its Programme for a Partnership Government, the Government has also committed to developing the process of budget and policy proofing as a means of advancing equality, reducing poverty and strengthening economic and social rights. It will ensure that institutional arrangements are put in place to support equality and gender proofing in an independent fiscal and budget office, which is to be established, and within key Government Departments. It is intended to draw on the expertise of IHREC to support the proofing process. For Budget 2017, the Parliamentary Budget and Finance Committee will be tasked with looking at gender and equality proofing budget submissions and proposals with independent expertise (including IHREC) to assist where necessary.

Cooperation with civil society

84. As outlined in the core document (HRI/CORE/IRL/2014, para. 157, 174, 180, 186-188), consultation with civil society forms a central part of the human rights reporting mechanism, while the drafting and implementation of the National Women's Strategy 2007-2016 included consultation with civil society and the social partners.

85. The WRC, in its Statement of Strategy 2016-2018, indicates it will involve its stakeholders on the operational aspects of its services, through establishing and maintaining a Stakeholder Engagement Framework and carrying out and publishing annual stakeholder awareness and effectiveness evaluations. Prior to its amalgamation into the WRC, the Equality Tribunal followed a broadly similar practice.

¹² Government of Ireland, 'A Programme for a Partnership Government', (2016), available at www.merrionstreet.ie/MerrionStreet/en/ImageLibrary/Programme_for_Partnership_Government.pdf

86. Effective cooperation by IHREC with representatives of relevant agencies and civil society through advisory committees, networks, public consultation processes, and public forums is promoted under Section 18 of the Irish Human Rights and Equality Commission Act 2014. IHREC is also obliged, when preparing its Strategy Statements, to consult with such bodies and groups as it sees fit, including civil society. In reviewing the operation of certain enactments and the provision of information to the public, IHREC is required under Section 30 to consult such persons, groups and organisations as it considers appropriate. Consultations are also provided for under Section 31 in respect to codes of practice. Finally, IHREC may consult in reviewing the operation of the positive duty obligation under Section 42.

87. The Department of Social Protection engages with a wide range of stakeholders on social protection and inclusion policies and practice. The national and local stakeholders include people experiencing poverty, civil society groups, social partners and experts. Examples of stakeholder engagement include annual events such as the Pre-Budget Forum and the Social Inclusion Forum. Women and groups that work with vulnerable women have a strong track record of participation in these activities.

88. Discussions are continuing amongst relevant Government Departments on the most appropriate institutional arrangements for implementation, monitoring and review of the 2030 Agenda for Sustainable Development at national, regional and global levels. Given that the effective and gender-responsive implementation of the 2030 Agenda at national level will require a broad and integrated domestic policy response across the economic, social and environmental pillars of sustainable development, the national implementation framework will have to provide for the coordinated involvement of many different parts of government as well outreach to a broad group of stakeholders.

Temporary special measures

Reply to the issues raised in paragraph 9

Measures to accelerate the achievement of substantive equality

89. Measures to achieve the Government target to promote gender balance on State Boards are set out at paragraph 148 of this report.

90. The introduction of measures to encourage the selection by political parties of a greater number of women candidates at general elections are set out at paragraphs 149-152 of this report.

91. As outlined at paragraph 94 of this report, the Defence Forces offer the same career opportunities to women and men. Currently just over 6% of Defence Forces members are female. The Government has undertaken to increase female participation at all ranks. The fitness test has in the past proved the greatest barrier for women. As a positive action measure, the 2016 recruitment campaign incorporates a female fitness information day to which all female candidates are invited. In addition to receiving tailored training programmes, applicants will also meet women serving in the Defence Forces. These events will take place 6-8 weeks before candidates undergo the fitness test.

Stereotypes

Reply to the issues raised in paragraph 10

92. Addressing gender and other forms of stereotyping have been the focus of a number of initiatives by the Equality Authority (now IHREC) and other organisations. These include research into gender stereotyping in goods for children, and resource packs on challenging stereotypes for teachers, second-level students and other young people. Gender stereotypes have also been addressed in a campaign on making schools safe for LGBT students and in work done with young women on positive body image.

93. The Defence Forces are committed to increasing female participation in their organisation. A Defence Forces HQ Gender Advisor has been appointed to advise the General Staff at the strategic level. Action currently being taken includes the 2016 recruitment campaign targeting female sports people through social media and online and cinema advertising. Briefs to secondary schools, parents, and guidance councillors focus on the fact that all roles in the Defence Forces, including operational duties, are open without restriction to both men and women, and on the variety of career opportunities offered.

Violence against women

Reply to the issues raised in paragraph 11

National Strategy on Domestic, Sexual and Gender-based Violence

94. Despite operating in a period of pressure on resources the First National Strategy realised significant achievements. These include: updated police policies on domestic and sexual violence; the establishment of a sex offender risk assessment office; the housing of voluntary sector support services for victims of domestic violence in the Dublin Family Law Courts; continued development of perpetrator programmes; Cosc-funded national and local awareness raising campaigns; publication by the HSE of a national policy and practice guide on domestic and sexual violence; and the establishment of Tusla (the Child and Family Agency) with a national funding and coordinating remit for domestic and sexual violence victim services.

95. Drafted following wide consultation, Ireland's Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021 envisages a range of actions for State, voluntary and community sector organisations aimed at preventing and responding to domestic, sexual and gender-based violence. The Strategy contains an action plan for ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), relevant elements for transposition of the EU Victims Directive into Irish law and practice and actions from the first national strategy which warranted continuation.

Amendments to domestic violence legislation

96. In 2011, the scope of the Domestic Violence Act 1996 was extended. A parent may now apply for a safety order against the other parent of their child, even where the parents do not live together and may never have lived together. This ensures that the full protection of the law is available where access to a child is an occasion of intimidation or even violence between disputing parents. The protections of the Act are available on the same basis to unmarried opposite-sex couples and same-sex couples who have not registered a civil partnership. Couples who are not married or are not in a registered civil partnership are no longer required to have lived together for a particular minimum period of time before one of them can obtain a safety order against the other. As a result of this change, the numbers of domestic violence orders being sought and granted has increased.

97. In July 2015, the Government published proposals for a new Domestic Violence Bill to improve protections available to victims of domestic violence, make it easier for them to obtain interim barring orders and provide for more victim-friendly courts processes. The privacy of the victim will be protected, and it will be possible for a court to bar the perpetrator from communicating with the victim electronically. The Bill was not enacted before dissolution of the Dáil in February 2016, and is included in the current legislative programme.

Recorded incidents, prosecutions and convictions

98. Statistics on crime, prosecutions and convictions and on breaches of domestic violence orders are not disaggregated by gender but it can be assumed that women constitute a large majority of the victims of these crimes and breaches of orders while

they are in a minority among perpetrators. Crime statistics show that the number of sexual offences recorded annually increased by 30% between 2005 and 2015.

Table 29: Sexual Offences recorded by An Garda Síochána (Irish police force) 2005-2015

Year	All Sexual offences	Rape of a male or female	Defilement of a boy or girl less than 17 years old	Sexual offence involving mentally impaired person	Aggravated sexual assault	Sexual assault (not aggravated)	Other sexual offences
2005	1,801	451	119	13	7	1,156	55
2006	1,415	371	72	15	16	886	55
2007	1,366	357	72	12	17	809	99
2008	1,406	348	76	7	13	890	72
2009	1,480	376	104	8	8	894	90
2010	2,366	478	157	16	7	1,531	177
2011	2,014	463	148	13	10	1,205	175
2012	2,116	519	137	25	7	1,289	139
2013	2,010	451	93	10	10	1,320	126
2014	2,053	476	140	12	5	1,268	152
2015	2,361	536	132	22	10	1,447	214

99. Recorded incidents by An Garda Síochána of breaches of domestic violence orders increased by 42% over this period.

Table 30: Breach of Domestic Violence Order recorded by An Garda Síochána 2005-2014

Year	All	Breach of Interim Barring Order	Breach of Protection Order	Breach of Barring Order	Breach of Safety Order
2005	1,213	55	380	443	335
2006	1,190	38	338	508	306
2007	1,235	38	398	428	371
2008	1,302	29	428	436	409
2009	1,261	48	403	417	393
2010	1,196	38	381	367	410
2011	1,094	30	351	349	364
2012	1,327	36	402	360	529
2013	1,459	41	451	358	609
2014	1,728	54	559	428	687

100. In 2014 468 rape offences and 824 indecent/sexual assault offences were prosecuted before the Central Criminal Court. Guilty pleas were entered in respect of 178 of these offences with 670 going to trial. Convictions were recorded in respect of

125 rape offences and 229 indecent/sexual assault offences, and acquittals in respect of 37 rape offences and 137 indecent/sexual assault offences.

Table 31: Report on outcomes for Domestic Violence for 2005 - 2015

Note: If an offence received more than one order it appears twice on report

Note: Query is based on offence code but if free text code was supplied, it would not be reported on.

Order	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Community Service Order	4	3	2	3	4	5	5	11	14	15	14
Dismiss	94	108	105	92	112	91	85	78	128	137	156
Dismiss Probation Act	66	92	93	99	86	88	71	67	91	77	92
Disqualification		1	1				1				
Fine	48	60	64	73	75	71	66	65	59	55	74
Imprisonment	56	79	93	82	96	58	57	59	68	87	80
Imprisonment - Part Suspended	2	3	4	1	3	5	3	6	4	6	6
Imprisonment - Suspended	83	96	98	115	130	119	95	112	102	115	120
Imprisonment in Absence	1	1			2	2	3	1			
No Order	20	17	22	25	17	25	15	12	17	18	16
OTHER	6	1	3	2	2					1	3
Peace Bond	32	57	76	87	68	70	38	21	33	39	14
Poor Box Payment	3				1		1	1	2	3	1
Probation Order	46	61	44	47	38	35	35	28	41	40	62
Strike Out	457	403	420	428	402	418	416	453	415	516	602
Strike Out - Not Served	10	16	16	12	25	10	20	15	14	27	26
Taken Into Consideration	41	55	51	49	43	42	59	55	44	77	115
Sent forward for Trial				1	1	2			1		
Withdrawn	78	70	98	109	101	96	75	75	103	131	151
Total	1,047	1,123	1,190	1,225	1,206	1,137	1,045	1,059	1,136	1,344	1,532

Measures taken to address prosecution, conviction and withdrawal rates

101. In 2008, Cosc¹³ undertook research to examine attitudes and perceptions towards domestic abuse among the general population in Ireland. The results of this were used in the development of Cosc’s awareness raising campaign “*Your Silence Feeds the Violence*”.

102. Legislation to transpose the EU Victims Directive into Irish law is currently being drafted as a priority. The criminal justice agencies have been working to provide services in line with the standard set out in the EU Directive, which provides that victims of crime will be able to receive an individual assessment to identify victim’s specific protection needs, access victim support services, enjoy safeguards in the context of restorative justice services, access protection, and enjoy privacy in the context of the criminal proceedings. A range of measures undertaken by An Garda Síochána to improve the experience of people reporting crime include the establishment of the new National Garda Protective Services Bureau and a new

¹³ The National Office for the Prevention of Domestic, Sexual and Gender-based Violence.

nationwide network of dedicated Garda Victim Service Offices across all 28 Garda Districts. The Garda Síochána Domestic Abuse Intervention Policy has been revised in consultation with NGOs.

103. Women attending a Sexual Assault Treatment Unit may opt to receive medical care only, or choose to have forensic evidence taken and report a crime to the police. As funding has been provided for the purchase, monitoring and maintenance of equipment to store forensic evidence in Sexual Assault Treatment Units, victims may defer their decision to report a crime to the police for up to one year while the evidence is in storage.

104. Following enactment of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014, a DNA database system has been established. The legislation replaces former arrangements governing the taking of samples for forensic testing from suspects for use as evidence in criminal investigations and proceedings.

Accessibility and funding of support services

105. Tusla, the Child and Family Agency has statutory responsibility for the care and protection of victims of domestic, sexual and gender based violence whether in the context of the family or otherwise. A network of 60 organisations provide services to victims of domestic, sexual and gender based violence in Ireland, including 20 services providing emergency refuge accommodation to women and children and 24 community-based domestic violence services.

106. The Agency has established a more co-ordinated approach for provision of these services with a dedicated national budget of **€20.4m in 2016**, a single line of accountability and greater support and oversight for service provision through appointment of a dedicated national team for domestic and sexual violence services. This will provide greater clarity and support for service provider organisations, and will help to provide effective, high quality services with more equitable availability of services across different geographical areas and different population groups.

107. Funding to domestic violence support services was increased in 2016 to enhance the availability of additional emergency accommodation units and increase access to domestic violence support services. Current provision of refuge spaces nationally includes 145 family units which include 428 spaces for children. Using the methodology for calculating refuge spaces set out by the Council of Europe¹⁴, the number of available family places nationally is approximately one space per 9,000 adult women, which is within recommended minimum standards for countries where integrated community-based responses to domestic violence are in place.

Support services for Traveller women and Roma women

¹⁴ The methodology used by the Council of Europe calculates family places according to average family size per 10,000 population or per 10,000 adult female population, depending on the nature of service provision.

108. The Second National Strategy on Domestic, Sexual and Gender-based Violence contains a number of actions aimed at increased and more targeted services for victims of domestic violence. These include establishing effective commissioning approaches to achieve more equitable access to services and positive outcomes and developing appropriate, evidence based, targeted interventions in domestic, sexual and gender based violence in communities of particular vulnerability, including migrants, Traveller and Roma women.

Reply to the issues raised in paragraph 12

Protection of disadvantaged groups of women from violence

109. Representatives of the Traveller and Roma communities have been represented on the National Steering Committee on Violence against Women and will be part of the monitoring structures to ensure successful implementation of the Second National Strategy on Domestic, Sexual and Gender-based Violence.

110. Under the new Strategy, An Garda Síochána have committed to improve confidence in how they manage domestic and sexual abuse within diverse communities such as Travellers and Roma by supporting inter-agency and community partnerships at local and national level. In addition, the HSE and Tusla, the primary funder of services, will develop targeted interventions in domestic and sexual violence in communities of particular vulnerability, including migrants, Traveller and Roma.

111. A range of projects aimed at women with disabilities and the Traveller and migrant communities have been funded under the Cosc awareness raising grant scheme relating to domestic, sexual and gender-based violence. These have included the production of information booklets on domestic violence for Traveller and migrant women, an accessible information booklet on sexual assault for people with intellectual disabilities, information on domestic violence made available as Irish Sign Language videos, community consultations targeting women with disabilities and disability advocates, and projects engaging with men to end violence against women in the migrant and Traveller communities.

112. Guidance has been developed by Cosc and the Public Awareness sub-committee of the National Steering Committee on approaches to promoting and developing an understanding of domestic, sexual and gender-based violence. This guidance presents strategies for raising awareness of domestic and sexual violence amongst the general population, including victims and professionals, and three specific population groups, namely people with disabilities, members of the Traveller Community, and members of migrant communities.

Data on violence against women

113. The Second National Strategy aims to establish a bottom line “gold standard” of data collection and analysis by all agencies working in the area of domestic and sexual violence whereby all datasets are disaggregated by age of victim and perpetrator, sex of victim and perpetrator, the relationship between victim and perpetrator, the ethnicity of victim and perpetrator, and any disabilities of victim and perpetrator. Cosc has identified areas where data collection on domestic and sexual violence could be improved and this work is being advanced through its Data Committee with the relevant state agencies and departments in the sector, and its membership of the Expert Group on Crime Statistics chaired by the Central Statistics Office. In particular, this group will review the crime counting, recording and detections rules, having regard to best practice in comparable jurisdictions. It is planned that more detailed statistics on domestic and sexual violence, based on crime and victimisation surveys, will be completed in the period to 2019.

Immigration status and habitual residence condition

114. In the past, the main difficulty experienced by victims of domestic violence in accessing means-tested social assistance was in situations where their right to reside in the State was derived from the abusing partner. When such victims applied for certain social assistance payments, they were unable to satisfy the right to reside aspect of the statutory provisions relating to habitual residence, and were unable to work because of the status of their permission to reside, which quite often was as a dependant of a permitted worker. This is no longer the case. Arrangements have been made to ensure that bona fide victims of domestic violence are issued with a “Stamp 4” which allows the holder to reside in the State in their own right and to access the labour market freely and without the need for a work permit. Once issued with a Stamp 4, the main impediment to victims accessing social assistance supports is removed. Applicants for social assistance are, of course, obliged to satisfy the normal requirements of the scheme from which payment is sought.

Training for law enforcement and the judiciary

115. The Second National Strategy on Domestic, Sexual and Gender-based Violence includes commitments in relation to the training of public sector officials dealing with domestic and sexual violence including police, court staff, and probation staff, and also to contribute to raise awareness among the judiciary by liaising with the Judicial Studies Institute in relation to the provisions of the EU Victims Directive relevant to domestic and sexual violence.

Reply to the issues raised in paragraph 13

116. No incidents or prosecutions have been reported to date in respect of offences under the Criminal Justice (Female Genital Mutilation) Act 2012.

117. FGM is identified as a form of child abuse in Children First: National Guidance for the Protection and Welfare of Children 2011. The Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 declares that the failure to report such an offence is a criminal act.

118. Information guides on FGM have been produced for healthcare professionals and for education professionals working in Ireland and widely disseminated. In May 2014, Ireland's first FGM Treatment Service was set up at the Irish Family Planning Association (IFPA) clinic in Dublin city centre, to provide free specialised medical care and counselling to women and girls in Ireland who have experienced FGM. In order to increase awareness about the FGM Treatment Service, the IFPA engages in outreach work with women from affected communities, medical professionals and service providers such as community and social workers and counsellors.

Trafficking and exploitation of prostitution

Reply to the issues raised in paragraph 14

National Action Plan to Prevent and Combat Trafficking in Human Beings

119. The National Action Plan to Prevent and Combat Trafficking of Human Beings in Ireland 2009-2012 provided for the development of structures to support a holistic approach to tackling human trafficking in Ireland. The Plan detailed the process by which victims of trafficking could be identified. It also set out a comprehensive framework of supports for victims through which their rights to residence permission, suitable accommodation, legal advice, medical and psychological care, language and vocational training and security could be secured. It led to the development of a consultative framework which has impacted on the development and enhancements of these support frameworks. The Plan set out the structures to be put in place to ensure that Ireland had the appropriate legislative and administrative framework which enabled it ratify all relevant international instruments. The Plan contained a total of 144 Actions, many of which were completed during its lifetime. Since the publication of the Plan a comprehensive system has been developed by the State for the protection of potential and suspected victims of human trafficking and Ireland has made several important steps in order to effectively detect, investigate, prosecute and convict offenders. A number of Actions were ongoing and will continue to feature in the new National Action Plan and beyond.

120. Since 2009, data on human trafficking victims has been collected from sources including the Human Trafficking Investigation and Co-ordination Unit of An Garda Síochána, the Irish Naturalisation and Immigration Service (INIS) of the Department of Justice and Equality, Ruhama, the Immigrant Council Ireland, Migrants Rights Centre, Stop Sex Trafficking Cork and Doras Luimní. The approach taken is closely modelled on similar systems developed and piloted in other EU Member States, with minor modifications for the Irish context. The key statistics have been published annually in respect of each year since 2009, on the website of the 'Blue Blindfold' campaign, at www.blueblindfold.gov.ie.

121. The review of the National Plan published in 2013 and undertaken in consultation with relevant stakeholders noted that the issue of trafficking had gained further prominence in Ireland and demanded the active response which had been made to date. The review noted the key measures undertaken, identified emerging issues and suggested future actions.

122. A second National Action Plan has been developed in co-operation and consultation with our national and international partners. This Plan has regard to our commitments under international instruments and developments on human trafficking at EU and Council of Europe level, seeks to build on progress made to date and to address issues raised in independent international evaluations of Ireland's response. The draft Plan was issued for consultation to civil society organisations active in this field in 2015, with submissions received from 13 organisations and one individual. This was followed by a roundtable meeting with NGOs on their priorities and led to the emergence of consensus on actions to be given greater weight and precedence in early stage implementation. The new Plan sets out a clear work programme for

collaboration between the relevant state authorities, civil society and agencies in other jurisdictions in advancing the fight against trafficking and enhancing the protection of victims. Subject to Government approval, it is expected that the new Plan will be published in the coming months.

Criminal Law (Human Trafficking) Act 2008

123. The Criminal Law (Human Trafficking) Act 2008 created specific offences criminalising trafficking in persons for the purposes of their sexual or labour exploitation or the removal of their organs. Prior to 2008, prosecutions involving child victims of trafficking were brought under Child Trafficking and Pornography Act 1998.

124. In 2015 the extent of human trafficking discovered in Ireland increased significantly, with 91 new human trafficking related cases initiated. From 62 of these investigations, a total of 78 suspected victims were identified. This compares with 46 victims identified in 2014. Table 32 gives an overview of prosecutions, convictions and identified victims from 2009 to 2015.

Table 32: Human Trafficking statistics 2009-2015

	2009	2010	2011	2012	2013	2014	2015
No. of persons against whom prosecution was commenced for trafficking in persons	6	5	7	15	16	14	17
No. of persons convicted of trafficking in persons	1	5	4	6	10	9	12
No. of persons identified by State authorities as victims of trafficking in persons	66	78	57	48	44	46	78

Source: AHTU

Assistance and protection to victims of trafficking

125. When victims are either encountered by or referred to An Garda Síochána they are provided, through the National Referral Mechanism, with a wide range of victim care services by both the government and NGOs. These include health services (mental, emotional, and physical care), legal services, accommodation, material assistance (supplementary welfare allowance, rent), access to the labour market, vocational training and education, police services, repatriation, translation/interpretation services, and access to education for dependent children.

126. Victims who do not have subsisting immigration permissions are provided with immigration permissions under the Administrative Immigration Arrangements for Victims of Human Trafficking (a 60-day period of recovery and reflection, 6 months periods of temporary residence (renewable)).

127. A dedicated Human Trafficking Team of the HSE also provides individual and comprehensive care planning and support to victims of trafficking for sexual exploitation and labour exploitation.

128. Funding related to trafficking has been transferred from the Victims of Crime Office to the Anti-Human Trafficking Unit (AHTU) of the Department of Justice and

Equality. The AHTU directly funds two NGOs, Ruhama and the Migrant Rights Centre Ireland, to provide support services to victims of human trafficking. NGOs do not house any human trafficking victims through the National Referral Mechanism although they may do so independently of the Mechanism. Ruhama has also been funded by the HSE to provide counselling, social support, short term informal training courses and career guidance to victims of human trafficking.

Direct provision

129. Under the draft Second National Action Plan to Prevent and Combat Human Trafficking in Ireland, it is proposed to examine the ongoing appropriateness and efficacy of all victim support services.

130. At present, all victims of human trafficking in Ireland, irrespective of their nationality, are offered free accommodation and supports by the Government. Irish Victims are provided such services by the HSE. Victims who are in the asylum system are provided with accommodation by the Reception and Integration Agency (RIA) in one of its 34 direct provision centres. Non-Irish victims, who are not in the asylum system, are also provided with accommodation by RIA, both for the period pending decision as to whether the victim is to be granted a 60 day Recovery and Reflection period and during that period, if granted.

131. In the direct provision system, in addition to a small cash allowance, full board and lodging, and ancillary services are provided, which include free medical screening on arrival into the direct provision accommodation system. Facilities also include recreation services, internet, life-skills courses, on-site counsellors, security, and mental care providers. Victims of trafficking would generally qualify for a medical card, making them eligible to receive a wide range of health services free-of-charge including GP services and prescribed medicines.

132. Neither the RIA nor the Garda National Immigration Bureau (GNIB) has been made aware of any notable problems for victims of human trafficking in RIA accommodation. However, as concerns have been raised by NGOs, the AHTU has requested details of specific complaints which it may investigate. No details have been provided to date.

133. On being granted 6 months temporary residence permission, which may be renewed, victims of trafficking receive mainstream housing supports and social protection payments. Victims who are exiting RIA accommodation receive additional support from liaison officers from the Asylum Seekers/New Communities Unit of the Department of Social Protection who work with the HSE Anti-Human Trafficking Team to advise on the social welfare assistance payable to victims.

Bilateral and Regional Cooperation to address trafficking

134. The AHTU also has a co-ordinating role in relation to the State's response to trafficking, and one of its key functions is to assist in resolving any issues which arise between State agencies providing services to victims. In 2015 the Garda Commissioner directed the establishment of a new Garda National Protective Services Bureau (see also point 105) to oversee the specialised Human Trafficking Investigation and Co-ordination Unit.

135. Ireland regularly co-operates in human trafficking related investigations with an international dimension. An Garda Síochána uses the mutual assistance channel and input from Interpol and Europol in its enquiries related to human trafficking. Ireland is also actively involved in the Santa Marta Group, an alliance of international police chiefs, civil society and bishops established in 2014 as a result of a Papal initiative to eradicate human trafficking and modern day slavery.

Reply to the issues raised in paragraph 15

Prevalence of exploitation of prostitution

136. There has been a significant increase recently in the number of identified victims of sexual exploitation. 48 victims of trafficking for the purposes of sexual exploitation were identified in 2015, an increase from 32 in 2014.

Measures to address exploitation of prostitution

137. The increase in the number of victims being identified for sexual exploitation can be attributed, in part, to the continued close liaison between An Garda Síochána, the State agencies and civil society, and the continued programme of training and awareness raising carried out by the Garda Síochána Human Trafficking Investigation & Co-ordination Unit (HTICU) and its partners. This is reflected in the fact that victims are being identified all over the country and not just in major urban centres. The increase in victims identified can also be attributed to some degree to An Garda Síochána's Operation Quest which, working closely with the HTICU, investigates prostitution and the criminality that surrounds prostitution.

138. With EU co-funding, the AHTU and Ruhama successfully completed an awareness-raising project in 2015 targeting women and girls in both the Ireland and Northern Ireland who have been trafficked, or are at risk of being trafficked into prostitution. The REACH campaign was developed following a unique consultation process with women who have had a variety of experiences within the sex trade. It sought to inform women and girls of the support that is available to them and where they can seek help. Funding provided by the Department of Justice and Equality, which amounts to €275,000 in 2016, assists Ruhama in providing frontline services to victims of trafficking for sexual exploitation.

Consultations on prostitution legislation¹⁵

139. Extensive consultation on the future direction of prostitution legislation in Ireland was initiated by the Department of Justice and Equality in 2012, following the publication of a discussion document¹⁶ which reviewed legislative approaches in other jurisdictions, including the UK, Sweden, Germany, Netherlands, Australia, New Zealand and Canada. The discussion document was referred to the Parliamentary Committee on Justice, Equality and Defence which conducted a public consultation process. Presentations from 26 organisations and individuals and over 800 written submissions were considered in this process. In its report¹⁷, the Committee recommended the introduction of an offence criminalising the purchase of sexual services. This recommendation was repeated in a subsequent report¹⁸ by the Committee on domestic and sexual violence, published in October 2014.

¹⁵ Criminal Law (Sexual Offences) Bill 2015, published September 2015.

¹⁶ Department of Justice and Equality, Discussion Document on Future Direction of Prostitution Legislation, June 2012

¹⁷ Joint Committee on Justice, Defence and Equality, Report on hearings and submissions on the Review of Legislation on Prostitution, June 2013.

¹⁸ Joint Committee on Justice, Defence and Equality, Report on hearings in relation to Domestic and Sexual Violence, October 2014.

140. In February 2014, the European Parliament adopted a resolution on sexual exploitation and prostitution and its impact on gender equality¹⁹. That resolution stressed that demand reduction should form part of an integrated strategy against trafficking in the Member States. In March 2014, a Report²⁰ to the Council of Europe Committee on Equality and Non-Discrimination recognised the effectiveness of the criminalisation of the purchase of sexual services as a tool in the fight against human trafficking.

HIV/AIDS transmission among women involved in prostitution

141. The representative bodies for medical practitioners in Ireland, in written and oral submissions to the Parliamentary Committee on Justice, Equality and Defence and in written submissions to the Department of Justice and Equality, highlighted the marginalisation of those involved in the provision of sexual services and the extensive health consequences associated with prostitution, which include a wide range of physical and mental health problems including HIV/AIDS. These organisations, the Irish Medical Organisation and the Irish Nurses and Midwives Organisation, support targeting the demand side of prostitution as a means of containing the extent of prostitution and the associated health problems.

¹⁹ European Parliament resolution of 26 February 2014 on sexual exploitation and prostitution and its impact on gender equality (2013/2103(INI)).

²⁰ Council of Europe Resolution 1983 (2014) on Prostitution, trafficking and modern slavery in Europe.

Participation in political and public life

Reply to the issues raised in paragraph 16

Participation of women in government

142. Introductory information on the political structure is set out at paragraphs 37 to 42 of the core document (HRI/CORE/IRL/2014, para. 37-42). Four (26%) of the fifteen members of the Government which took office in May 2016 are women. They include the Tánaiste (deputy prime minister), who also holds the portfolio of Minister for Justice and Equality, the Minister for Jobs, Enterprise and Innovation, the Minister for Children and Youth Affairs and the Minister for Regional Development, Rural Affairs, Arts and the Gaeltacht. Four (22%) of the 18 Ministers of State appointed by the Government are women. Their portfolios are Government Chief Whip, Mental Health and Older People, Health Promotion, and Communities and National Drugs Strategy.

Participation of women in the judiciary

143. For introductory information about the judiciary in Ireland, see the core document (HRI/CORE/IRL/2014, para. 69). Four of the nine judges currently serving on the Supreme Court are female, including the Chief Justice.

144. Other senior positions in the justice system currently held by women include Attorney General, Chief State Solicitor, Director of Public Prosecutions, State Pathologist, Director General of Forensic Science Ireland, Commissioner of An Garda Síochána, and Chair of the Policing Authority.

Participation of women in the diplomatic service

145. At the senior levels of Ireland's diplomatic service, five (17%) of 30 Ambassadors, 23 (35%) of 66 Minister Counsellors, and six (66%) of nine General Consuls are women.

Measures taken to increase the number of women in senior positions in the Civil Service

146. Introductory information on the legal basis for and recruitment to the civil and public service in Ireland is set out in the core document (HRI/CORE/IRL/2014, para. 45-46). The Public Appointments Service (PAS) is the centralised provider of recruitment, assessment and selection services for the Civil Service and also provides recruitment and consultancy services to local authorities and other public bodies. PAS mainly operates under the Public Service Management (Recruitment and Appointments) Act 2004 and according to guidelines and standards set out in its codes of practice, which set out to ensure that the recruitment process is completely free of discrimination of any kind.

147. The Civil Service Renewal Plan agreed by Government in October 2014 includes an action to improve gender balance at each level by reviewing supports and policies to ensure these are impactful and measurable. This is being implemented under the leadership of the Department of Public Expenditure and Reform.

148. The Department of Justice and Equality, with Ibec and the National Women's Council of Ireland as co-beneficiary partners, secured funding under the EU

PROGRESS programme 2013-2015 for a project to promote greater gender balance in decision-making in the public and private sector in Ireland. A pilot mentoring and leadership development programme for female principal officers, which is to be mainstreamed by the Department of Public Expenditure and Reform, and the development of a training module on addressing unconscious gender bias for use in the public and private sectors were among the measures carried out.

Participation of women on State Boards

149. Introductory information on women's representation on State Boards is set out in the core document (HRI/CORE/IRL/2014, para. 189-192). A new model and guidelines for State Board appointments were agreed by Government in 2014. Under this approach, which reaffirmed the 40% gender balance target, PAS provides an open process to identify top quality people for consideration by Ministers for appointment to State Boards. In addition to advertising opportunities to express an interest in vacancies, the State Boards portal²¹ allows aspiring members to register their general interest and sends alerts of vacancies, as and when they arise, to those registered. Women have been encouraged to enrol in the State Boards Alerts system, and by February 2016 constituted 40% of the 4,757 individuals registered. Of the 211 board appointments made under this process by February 2016, the successful candidate came through the Alerts system in approximately a third of appointments, with 33 (46%) being women. The gender breakdown of board members in December 2015 was 37.5% female and 62.5% male. This is the highest proportion of female board members since the target was introduced. Seeking to meet the 40% target continues to be an objective in the Programme for a Partnership Government (see also point 44).

²¹ www.stateboards.ie

Reply to the issues raised in paragraph 17

Electoral (Amendment) (Political Funding) Act 2012

150. The 30% gender quota, provided for by the Electoral (Amendment) (Political Funding) Act 2012, was in effect for the general election of February 2016. The election was contested by 163 women, 30% of the 551 candidates. This was a significant increase over the 2011 general election, in which only 15% of the candidates were women. In 2016, 35 women, 22% of the total, were elected. This compares with 15% in 2011.

Participation of women in local government

151. In the 2014 local elections, 441 of the 2,037 candidates (22%) were women, who won 21% of the seats. These figures were an advance on the previous local elections held in 2009 when women made up 19% of the candidates and secured 19% of seats.

152. It is intended that Electoral (Amendment) (Political Funding) Act 2012 will have a knock-on effect by providing an incentive to political parties voluntarily to apply similar arrangements at local elections thereby facilitating their compliance with the Act in general elections.

153. Introductory information about local government and the changes introduced through the Local Government Reform Act 2014 is set out in the core document (HRI/CORE/IRL/2014, paras. 47-50). Each local authority is required to draw up a framework for public participation in local government. The Statutory Guidelines issued in 2014 providing a framework for the establishment and operation of Local Community Development Committees (LCDCs) require that 'every effort should be made to ensure an equitable gender balance among the local authority members on the LCDC, as well as across the broader LCDC membership'. Currently, 26% of the local authority members of the 33 LCDCs and 36% of the broader membership is female.

Measures to promote the participation of Traveller and Roma women in political and public life

154. Such measures will be considered in the context of the development of a new National Traveller and Roma Inclusion Strategy which will be presented to Government for approval in 2016.

Women, peace and security

Reply to the issues raised in paragraph 18

UNSC Resolution 1325

155. Ireland implements UNSCR 1325 through National Action Plans on Women, Peace and Security, which address both domestic and foreign policy and include women affected by conflict on the island of Ireland. The first Plan ran from 2011-2014.

156. The empowerment and participation of women in conflict-resolution and peace-building has been given an increased focus in the Second National Action Plan for the period to 2018. This was drafted following extensive consultation, which received 37 written submissions and drew 100 participants from statutory, civil society and academic organisations to a consultative workshop. It also draws on Ireland's own experience in peace keeping, overseas development aid and contributions to post-conflict reconciliation on the island of Ireland.

157. The Second National Action Plan addresses: (i) prevention of conflict, including gender-based violence and sexual exploitation and abuse; (ii) participation of and representation of women in decision-making; (iii) protection from gender-based violence and sexual exploitation and abuse and other violations of women's human rights and international humanitarian law, and relief, recovery and rehabilitation; and (iv) promotion of the women, peace and security agenda in international regional and national arenas.

158. Actors from across Government and the public sector are charged with commitments under the Plan. An 18-member Oversight Group meets quarterly to monitor the progress of statutory bodies on the implementation of the Second National Action Plan. The Group consists of an Independent Chair, 9 statutory representatives and 8 civil society, academic and independent experts. A Midterm Review of the Plan will be undertaken during 2016.

Participation of women in conflict prevention, management and resolution

159. The Department of Foreign Affairs and Trade has established a 'Conflict and Fragility Team' to develop a more coherent policy on situations of conflict and fragility, encompassing conflict prevention. This policy is informed by the WPS agenda and UNSCR 1325.

160. Ireland provides financial support to initiatives to enhance women's participation and decision making roles in conflict prevention, management and resolution. In line with CEDAW General Recommendation No. 30, the Department supported an inquiry into the low levels of women's participation in Northern Ireland in the post-conflict situation.

161. Ireland is a donor country to the Global Acceleration Instrument (GAI), a pooled funding mechanism recommended by the 2015 Global Study on 1325.

Sexual exploitation of women and girls

162. Ireland's Rapid Response Corps deploys highly-skilled personnel, including gender and protection experts, to humanitarian crises and emergencies as surge capacity support to UN partners. In addition to specific training on gender and sexual exploitation and abuse, roster members must sign a code of conduct which sets out that the responder is aware of the additional vulnerabilities of women in crisis situations. This code also clearly establishes that sexual exploitation and abuse will not be tolerated, and any breaches of the code will result in termination of their deployment.

163. Garda personnel deployed on duty overseas, whether with the UN, the EU, or the OSCE, remain subject to the provisions of the Garda Síochána (Discipline) Regulations. Activities while deployed overseas may be subject to investigation as a suspected breach of discipline, the penalties for which can include dismissal. Subject to the directions of the Director of Public Prosecutions, criminal proceedings can also be commenced in Ireland and penalties imposed for offences committed in other jurisdictions.

164. In the international arena, Ireland supports fully the call for an end to impunity for crimes of sexual and gender-based violence, and is a vocal proponent of prosecution of actors who carry out these crimes, whether they are state or non-state actors, or multilateral organisation personnel. Ireland supports the enforcement of higher standards for UN personnel active in peace operations and national level prosecutions of those guilty of crimes of impunity, and encourages the practice of naming the nationalities of perpetrators of crimes of impunity.

165. In addition, Ireland provides funding to the Justice Rapid Response initiative, and to the Gender Capacity Project, both of which work in the area of sexual and gender based violence.

Migration and asylum policy

166. Ireland's immigration system does not discriminate on the basis of gender. All of the wide range of migration channels that are open to migrants seeking to come to Ireland are open to male and female migrants equally. Each application is considered on its merits in accordance with the guidelines laid down.

Education

Reply to the issues raised in paragraph 19

Educational choices of women and men

167. In "Better Outcomes, Brighter Futures", the national policy framework for children and young people 2014-2020, it is acknowledged that particular attention needs to be paid to developing the mathematical and science skills of girls in order to optimise career options, particularly in the high demand STEM (Science, Technology, Engineering and Maths) and ICT (Information and Communications Technology) sectors. In this policy framework the Government undertook to combat gender stereotyping in subject choices and promote the increased uptake of STEM subjects by young women, both in school and in higher education.

168. Science Foundation Ireland (SFI) is the national foundation for investment in scientific and engineering research. Its Smart Futures programme is a Government-industry initiative that promotes STEM careers to post-primary students. Smartfutures.ie highlights the range of opportunities open to students that study STEM subjects at second and third level and includes a particular focus on female career profiles. In addition, one of SFI's key performance indicator targets is to increase the proportion of female SFI research grant award holders to 25% by 2020. In 2014 SFI ran a women-only postdoctoral programme, the SFI Advance Award. SFI have in the last year implemented a maternity/adoptive supplement policy and flexible grant management procedures for awardees on maternity leave. In 2015 they implemented gender mainstreaming measures in their early career stage award, SIRG, to encourage greater numbers of female applicants.

169. Trinity College Dublin's Centre for Women in Science and Engineering Research (WiSER), established in 2006, is also making an important contribution to addressing the gender imbalance in STEM disciplines, promoting practices to recruit, retain, and advance women in academic science, engineering, and technology. Similarly, the European Commission-funded 'Towards Women in Science and Technology' (TWIST) project and the FP7-funded Institutional Transformation for Effecting Gender Equality in Research project aim to promote gender-equality in STEM disciplines

Measures to combat gender stereotypes in education and careers

170. Apprenticeship is the recognised means by which persons are trained to become craftspeople in Ireland. Female participation in apprenticeship has traditionally been low with the overwhelming majority of the trades based on traditional male occupations. A wide-ranging independent review of apprenticeships in Ireland was undertaken in order to identify reforms that would re-focus apprenticeship training as an alternative progression route to third-level education for school leavers. The report of the review group was published in January 2014. Weaknesses identified included a heavily gendered approach attracting few female participants, and over-reliance on a narrow group of trades, mainly in the construction sector, with the collapse of the sector making a large number of apprentices redundant. On the group's recommendations, an Apprenticeship Council was established in 2014. A call for proposals for apprenticeships in new sectors of the

economy has received over 80 proposals, many of which relate to sectors which are more gender balanced.

171. The National Skills Strategy 2015-2025 provides for supporting the increased participation of females in apprenticeships by broadening into new areas. The Strategy includes a commitment to review the level and trend in female participation in apprenticeship in 2018.

SRHR education

172. Relationship and Sexuality Education (RSE) is included in Social Personal and Health Education (SPHE), which is a mandatory programme at primary level. At primary level, SPHE provides particular opportunities to foster the personal development, health and well-being of the individual child, to help him/her to create and maintain supportive relationships and become an active and responsible citizen in society. Through an SPHE programme that is planned and consistent throughout the school, children can develop a framework of values, attitudes, understanding and skills that will inform their decisions and actions both now and in the future. As children progress through an SPHE programme, they will encounter a wide range of issues, including relationships, sexuality and child abuse prevention. The SPHE curriculum is structured in such a way that these issues are not explored in isolation; rather the emphasis is on building a foundation of skills, values, attitudes and understanding relevant to all issues, with specific information provided where necessary.

173. SPHE is also a mandatory programme at post-primary junior cycle level. Post primary schools must timetable one period per week for SPHE and five to six timetabled periods for SPHE in the year should be assigned to RSE. As part of a new Framework for Junior Cycle (2015) placing a clear emphasis on overall student health and well-being, a new short course in SPHE has been developed which includes relationship and sexuality education. This will increase the time allocation for SPHE up to 100 hours over the three years of Junior Cycle.

174. At senior cycle the RSE requirement is generally fulfilled outside of SPHE. RSE includes the acquisition of knowledge and understanding, and the development of attitudes, beliefs and values about relationships, sexual identity and intimacy. RSE aims to enable young people to have the knowledge and understanding to cope with challenges and to develop resilience in difficult situations. One of the resources used at senior cycle contains a DVD and lessons on human reproduction and fertility, contraceptive methods, unplanned pregnancy, and sexually transmitted infections.

175. According to the latest Health Behaviour in School-aged Children survey in 2015, the overall proportion of children who reported having ever had sex increased between 2010 and 2014. Contraceptive use amongst those sexually active under 18 was relatively high. Overall, 73% of 15-17 year old boys and 73% of 15-17 year old girls report that they used condoms as a form of contraception at last intercourse. Overall, the partners of 31% of 15-17 year old boys and 35% of 15-17 year old girls report that they used the birth control pill at last intercourse,

176. The National Sexual Health Strategy, launched in October 2015, has a number of priority actions specifically aimed at improving the sexual health and well-being of young people. Some of these involve improvement to the RSE programme. In addition, resources for young people and their parents will be developed in order to promote good communication about sex. And a HSE foundation programme in sexual health promotion will be established as a national sexual health training programme.

Teenage pregnancy

177. Since the Crisis Pregnancy Programme was established the total number of births to teenagers has decreased significantly, from 3,078 in 2001 to 1,187 in 2015, a reduction of 61%.

178. The Department of Education and Skills offers a Home Tuition grant for up to 10 weeks for girls who have a school place at post primary level and are unable to attend school due to maternity related absences. This scheme provides for the parent to employ a tutor or tutors for a combined maximum of 9 hours per week if their daughter is unable to attend school, subject to certain conditions. 51 such grants were approved in the 2014/2015 school year.

179. Programmes available to support young parents who want to continue their education or training include the Teen Parents Support Programme funded by Tusla and the HSE. This is a free and confidential community-based support service for young mothers, young fathers and their families from pregnancy until the baby is 2 years of age.

Women in leadership in education – the higher education sector

180. The Universities Act 1997 and the Institutes of Technology Act 2006 require our higher education institutions to promote gender-balance and equality of opportunity among students and staff, and to prepare and implement statements of policy in respect of equality, including gender equality, across all of their activities. In addition, the Higher Education Authority (HEA), which has statutory responsibility for the governance and regulation of the higher education system in Ireland, has actively promoted equality through a range of initiatives.

181. In February 2015 the seven universities, fourteen institutes of technology and the Royal College of Surgeons in Ireland signed up to the Athena SWAN Charter committing them to advance women's careers in science, technology, engineering, mathematics and medicine (STEMM) employment in academia. The Athena SWAN Charter is an academically led initiative that was launched in the UK in 2005 to address the loss of women from science, engineering and technology disciplines.

182. Despite the positive impact of the aforementioned initiatives, there remains a gender-imbalance in the staffing of Irish higher education institutions, particularly at senior levels. Even though there is gender-balance at entry-level academic grades, 81% of academic professor positions are filled by men. In addition, while 62% of all non-academic staff are women, men represent 72% of the highest paid non-academic staff. While there has never been a female president of any of the 7 universities in Ireland, currently, 4 of the 14 presidents of Institutes of Technology are female.

183. It is within this broader context that the HEA has initiated a comprehensive, system-wide review of higher education institutions' gender-profiles and gender-equality policies to be conducted by an expert group chaired by former European Commissioner for Research, Innovation and Science Máire Geoghegan-Quinn. The expert group's report, which was published in June 2016, found that women face a number of barriers to progression, which are not experienced to the same degree by their male colleagues and that the organisation and culture within higher education institutions mean that talent alone is not always enough to guarantee success. The group's recommendations call for the prioritisation of resources and for the mobilisation of all stakeholders to address gender inequality in relation to organisational culture and structures, as well as in the support and advancement of careers. Officials from the Department of Education and Skills will now liaise with the HEA, the HEIs, research funding agencies and other key stakeholders in the development of a detailed implementation plan to include a robust system of follow up evaluation and performance monitoring linked to funding.

184. Despite the positive impact of these initiatives, there remains a gender-imbalance in the staffing of Irish higher education institutions, particularly at senior levels. In Ireland, although 44% of academic staff in the universities and institutes of technology are women, only 28% of senior academic staff, and 19% of professors are women. Currently, 5 of the 14 presidents of Institutes of Technology are female, while there has never been a female president of any of the seven universities in Ireland.

185. In response, the HEA has initiated a comprehensive, system-wide review of higher education institutions' gender-profiles and gender-equality policies. This review, which formally commenced in September 2015, is being conducted by an expert group chaired by former European Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn. The review takes as its starting-point an analysis of the current position in higher education in Ireland in respect of gender-equality, examining this across all grades of staff, and will examine the reasons for continuing gender-inequality among staff across the sector. It is expected that the final report of the review will be published in the summer of 2016.

Women in leadership in education – primary & post-primary sector

186. In the 2015/16 school year, 67% of primary and 49% of post primary school principals are female. For the 2014/15 academic year, 21% of chairs of primary school boards of management were female.

Access to education by Traveller, Roma, and migrant women and girls

187. The education system in Ireland is operated on an inclusive basis and in accordance with principles of equality set out in relevant legislation.

188. In keeping with this inclusivity principle, the focus of current education provision for Travellers/Roma is on the development of a more inclusive school environment through the whole school planning process, teaching practice, admissions policies, codes of behaviour and whole school evaluation. Additional resources provided are allocated on the basis of identified individual educational need rather than on the basis of ethnic or cultural background.

189. Transfer of Pupil Information by Schools requires all primary schools to provide information on students moving to second level schools. This is aimed at ensuring a rounded picture of each child's ability and achievement at primary school, and is particularly important for Travellers where the transition from primary to post-primary school can be an issue.

190. The National Induction Programme for Teachers provides an interactive workshop that focuses on the classroom environment and classroom planning to support inclusion. Developing strategies to ensure the inclusion of all pupils/students including those from minority groups are a key feature of the programme.

Admission to Schools Bill 2013

191. The Education (Admission to Schools) Bill published in April 2015.. Draft regulations to be made following enactment of the Bill proposed that an oversubscribed school be permitted to allocate a maximum of 25% of available school places to children of past pupils. These regulations were not finalised and were due to be amended following further consultation. The Bill was not enacted before dissolution of the Dáil (Parliament) in February 2016. The new Government has undertaken in its Programme for Government to publish new School Admissions and Excellence legislation taking account of the current draft proposals (including on transparency and fairness in admissions for pupils) with a view to enacting this legislation for the start of the 2017-18 school year.

Employment

Reply to the issues raised in paragraph 20

Equal pay and low pay

192. Discriminatory pay practices on the grounds of gender are illegal and complaints can be made to the WRC. The Labour Court hears appeals from decisions of the WRC.

193. The establishment of the Low Pay Commission on a statutory basis in 2015 to examine and make annual recommendations on the national minimum wage, and the raising of the national minimum hourly rate of pay from 1 January 2016 to €9.15 per hour for an adult worker, have resulted in more favourable pay conditions for those on minimum rates of pay. The National Minimum Wage applies to all employees, including full-time, part-time, temporary and casual employees, except for employees who are close relatives of the employer, or employees undergoing certain structured training. Currently, a large majority of those who are paid the National Minimum Wage are women. Given the preponderance of women in low paid jobs, the Low Pay Commission has been asked to study the issue and examine the underlying reasons for it. Any recommendations they consider appropriate to address this are to be submitted to the Minister for Jobs, Enterprise and Innovation by October 2016.

Occupational segregation

194. *[MATERIAL REQUIRED - statistics on gender breakdown of employment per sector]*

The 'marriage bar'

195. In relation to women affected by the 'marriage bar' in the public service, the homemaker's scheme was introduced in 1994 to make qualification for State pension contributory easier for those who take time out of the workforce for caring duties. The scheme allows up to 20 years spent caring for children under 12 years of age, or caring for incapacitated people, to be disregarded when a person's social insurance record is being calculated for pension purposes. The effect of this is to reduce the number of years by which the person's contributions are divided, thereby increasing their yearly average, making it easier for them to qualify for the maximum rate of SPC. However, it is important to note that the homemaker's scheme will not, of itself, qualify a person for a pension. The standard qualifying conditions must also be satisfied. These require a person to enter insurable employment at least ten years before pension age, pay a minimum of 520 contributions at the appropriate rate (credited contributions do not satisfy this condition) and achieve a yearly average of at least 10 contributions paid or credited on their record. A yearly average of 48 or more is required to qualify for a maximum rate SPC.

Measures protecting migrant domestic workers

196. In recruiting a worker to provide a personal service in a person's private home, for example, childminding or care services, where the employment affects the private or personal life of those residing in that home, the employer is not subject to the Employment Equality Acts. For example, a woman might prefer to have a woman in a personal caregiving role in her home and this is allowed under the Acts. Once employed, such workers may not be discriminated against. Anti-discrimination

practices by employers and compliance with the law is encouraged under a voluntary Code of Practice²² developed under the Industrial Relations Act 1990, which sets out certain employment rights and protections for persons employed in other people's homes and is admissible in any proceedings before a court, or a workplace relations dispute resolution body.

Promoting sharing of domestic and caring responsibilities between women and men

197. Family-friendly policies are supported through laws on maternity leave, adoptive leave and parental leave. The Maternity Protection Acts provide for statutory minimum entitlements in relation to maternity at work, including maternity leave of 26 weeks. Under the Adoptive Leave Acts, the adoptive mother is entitled to avail of 24 weeks adoptive leave from employment. The Parental Leave Acts allow parents to take parental leave from employment in respect of certain children. The parental leave available to each parent was increased to 18 weeks per child under the European Union (Parental Leave) Regulations 2013. It is planned to consolidate maternity, adoptive, parental and carer's leave (which provides for 13 to 104 weeks leave from employment to provide full-time care) into one piece of legislation, to be known as the Family Leave Bill.

198. *[Include details of awareness raising campaigns since 2005 promoting sharing of childcare and domestic work and targeting men].*

199. A commitment to introduce 2 weeks paid paternity leave and paternity benefit by September 2016 was announced in Budget 2016. The Paternity Leave and Benefit Bill 2016 is currently before the Dáil (lower House of Parliament) and enactment is expected by the end of July 2016.

200. Under the Programme for Government it is also proposed over a five year period to significantly increase the parental leave (currently maternity leave is 26 weeks) available in the first year of a child's life. A National Parenting Support Plan will be published, with a range of practical and supportive measures for all parents.

Childcare

201. The Inter-Departmental Working Group on Future Investment in Childcare in Ireland reported in 2015. It concluded that investment in supply side measures was strategically optimal in achieving the combined objectives of affordability, accessibility and quality. The Department of Children and Youth Affairs is now working towards reforming the targeted State funding programmes into a Single Affordable Childcare Programme, to be delivered in 2017.

202. At present the Department of Children and Youth Affairs provides funding of more than €250 million annually to support the implementation of a number of childcare support programmes. This funding, which is in addition to Child Benefit payments, provides support to more than 100,000 children each year.

203. The Early Childhood Care and Education (ECCE) programme provides a free year of early childhood care and education for all children of pre-school age. The

²² Code of Practice For Protecting Persons Employed In Other People's Homes, available at www.workplacerelations.ie/en/Good_Workplace_Relations/codes_practice/COP10/

Department of Children and Youth Affairs pays a capitation fee to participating early years services. In return, they provide a pre-school service free of charge to all children within the qualifying age range for 15 over 38 weeks. The extension of the ECCE scheme from September 2016 will mean that children are eligible for State-funded pre-school places from the age of three until they begin school, and this will reduce average parent's annual childcare costs by a further €1,500 approximately

204. In addition to this universal support, a number of programmes are in place to provide targeted support to families from lower income or disadvantaged backgrounds. The largest of these is the Community Childcare Subvention (CCS) programme, under which disadvantaged parents and parents in training, education or low paid employment can avail of childcare at reduced rates, with a subvention of up to €95 per week.

205. Other schemes through which free or subvented childcare is available include: Childcare Education and Training Support which provides free childcare for certain training course participants; the After-School Childcare (ASCC) programme, which provides free afterschool care for primary school children for certain categories of parents returning to the workforce; and the Community Employment Childcare schemes, which cater for the children of Community Employment scheme participants.

206. In Budget 2016, an €85 million package of additional investment for the childcare sector was announced. This will provide for a range of significant enhancements to the childcare support programmes. These include the expansion of the ECCE programme and increased provision under the CCS programme that supports low income and disadvantaged families, referred to at point 204 above.

One-Parent Family Payment scheme

207. Lone parents, among certain social welfare recipients, continue to benefit from childcare schemes introduced to assist them in taking up employment. The schemes in question are the ASCC scheme and the Community Employment Childcare programme.

208. The final phase of reforms to the One-Parent Family Payment (OFP) scheme came into effect from 2 July 2015 when the maximum age threshold for the youngest child on the scheme was reduced to 7 years. Customers who were affected by the age reforms transitioned to alternative income support payments as appropriate. These included the Jobseeker's Transitional Payment (JST), Jobseeker's Allowance (JA) and the Family Income Supplement (FIS) and are available to those who have a youngest child aged 7 to 13 years inclusive and who are parenting alone. These customers are exempt from the Jobseeker's Allowance conditions that require them to be available for, and genuinely seeking, full-time work. As such, no lone parent whose youngest child aged under 14 years is required to take up employment in order to receive income support from the Department of Social Protection.

209. JST is a special arrangement under the Jobseeker's Allowance scheme that aims to support lone parents into the workforce while they have young children. From 7 January 2016 the earnings disregard for JST increased from €60 to €90 per week for existing and new recipients. The entire disregard of €90 applies irrespective of how

many days a lone parent works (as is currently the case on One-Parent Family Payment). All earnings above €90 are now assessed at 50% rather than the previous assessment of 60%.

210. The FIS income threshold also increased from 7 January 2016 by €5 per week for the first child per week and €10 for two or more children. Between July and the end of 2015, approximately 3,000 of the OPF recipients affected became new FIS recipients. This indicates that these customers entered or increased their employment as a result of the reforms.

211. These new recipients are also eligible for the Back to Work Family Dividend (BTWFD) and gain an increase in their overall income when they transition from OPF to FIS and the BTWFD. The BTWFD was introduced in January 2015 and aims to help families to move from social welfare into employment. It will give a weekly payment for up to 2 years to people with children who were getting jobseeker and one-parent family payments who take up employment, increase their hours of employment or become self-employed. The weekly rate of payment is €29.80 per child (up to a maximum of 4 children) for the first year in employment and half that amount is paid weekly for the second year. The BTWFD allows customers to retain the child portion of their former OPF payment, with full entitlement worth €1,550 per child in the first year and 50% entitlement worth €775 per child in the second year.

212. All lone parents on a JA or JST payment gain improved access to employment activation supports. For the first time JST recipients receive a one to one meeting with a case officer from the Department of Social Protection who assists them to produce a personal development plan and guides them towards appropriate education, training and employment opportunities. While the customer receives JST, this support is available for up to seven years.

213. JST recipients can also move into education and/or employment, including into part-time employment, if they so wish, and still receive payment, subject to a means test. As such, JST allows these customers to balance their work and caring responsibilities and significantly, reduces their requirement for child care. Other changes introduced in Budget 2016 included more closely aligning the JST means test with the more generous OPF means test, providing further support to lone parents to take up employment.

Health

Reply to the issues raised in paragraph 21

The legislative framework regarding termination of pregnancy

214. The Committee of Ministers of the Council of Europe is satisfied that the Government has given effect to the ruling in *A, B and C v Ireland* by introducing the Protection of Life During Pregnancy Act 2013, related regulations and guidance document. The Committee of Ministers closed the case on 4 December 2014.

215. Article 40.3.3° of the Irish Constitution, as interpreted by the Supreme Court, provides that it is lawful to terminate a pregnancy in Ireland if it is established as a matter of probability that there is a real and substantial risk to the life, as distinct from the health, of the mother, which can only be avoided by a termination of the pregnancy. The Protection of Life During Pregnancy Act 2013 regulates access to lawful termination of pregnancy where there is real and substantial risk to the life of a woman as a result of her pregnancy. The Act commenced on 1 January 2014 and the Guidance Document on the implementation of the Act was published later that year. It regulates access to lawful termination of pregnancy in accordance with the *X* case and the judgment of the European Court of Human Rights in the *A, B and C v Ireland* case. Its purpose is to confer procedural rights on a woman who believes she has a life-threatening condition, so that she can have certainty as to whether she requires this treatment or not.

216. In cases where the risk to life arises from a physical health issue, two doctors will be required to certify that the woman qualifies for a termination of pregnancy, one of whom must be an obstetrician/gynaecologist practising at an appropriate institution. In an immediate emergency situation arising from a physical health condition, the opinion of one registered medical practitioner will be sufficient for the termination to be lawful. In cases where there is a risk to the life of the pregnant woman arising from suicide, three doctors are required to jointly certify the procedure. One of doctors must be an obstetrician/gynaecologist practising at an appropriate institution, and the other two will be psychiatrists, one of whom must practice in an appropriate institution and the other must practice at an approved centre or for, or on behalf of the HSE, or both. In non-emergency situations, provision is also made in the legislation for consultation with the woman's GP in the course of the diagnostic process, where practicable and with her consent. A woman can have her case reviewed within a given time period if she wishes to have the clinical assessment made by the original treating team reviewed, or if she has been unable to obtain an opinion. A Review Committee composed of relevant specialists, nominated by the appropriate independent professional bodies and the HSE, will be established within a specified timeframe by the HSE, for this purpose. This formal review pathway is in addition to, and not in substitution for, the option of the woman seeking a second opinion as with normal medical practice. Again, the formal review process mirrors the assessment process set out above – in cases of physical health conditions, two doctors will carry out the assessment; while cases of suicide will require three doctors.

217. In 2014, 26 terminations were carried out under the Protection of Life During Pregnancy Act 2013. 14 of these arose from a risk to the life of the mother arising from physical illness, 9 from a risk to the life of the mother from emergencies arising

from physical illness, and 3 arose from a risk to the life of the mother from suicide ideation.

218. For information on the consideration being given to extending the law on abortion to cover other circumstances, please see the response to paragraph 4, at point 51 above.

Demand for and cost of abortion services

219. The HSE Crisis Pregnancy Programme (CPP), formerly the Crisis Pregnancy Agency, was established in 2001 to work closely with Government Departments and Agencies to reduce the incidence of crisis pregnancy, including abortion, among women living in Ireland. The CPP strategically invests in research as a means of understanding the context in which crisis pregnancy is happening. Over 35 research reports have been published to date on a wide range of topics related to crisis pregnancy and sexual health and behaviour, including research with young migrant women on sex, fertility and motherhood.

220. The monitoring system developed by the CPP to examine the number of women giving Irish addresses at abortion clinics in other jurisdictions has shown a 40% reduction, from 6,673 in 2001 to 3,982 in 2012, in the women travelling from Ireland to the UK for abortion services. The Irish Contraception and Crisis Pregnancy Study published in 2012 found that 94% of all women living in Ireland who have experienced an abortion had travelled to the UK for the procedure.

221. We have no specific information on travel costs or the cost of abortion services abroad.

Reply to the issues raised in paragraph 22

Free abortion aftercare

222. Abortion aftercare services, including post-abortion medical check-ups and post-abortion counselling, are available free of charge to all women living in Ireland. The Abortion Aftercare campaign, developed by the CPP, aims to raise awareness of the availability of free State-funded post-abortion medical check-up and counselling services, promoted at www.abortionaftercare.ie.

223. No information is available on the extent of clandestine abortion.

Regulation of Information Act 1995

224. The freedom to travel to another state for a termination of pregnancy and to obtain information in relation to this service is guaranteed in Article 40.3.3 of the Constitution. The Regulation of Information (Services outside the State for Termination of Pregnancies) Act 1995 sets out the conditions under which information relating to services lawfully available in another State might be made available within the Irish State. No changes to these Regulations are currently proposed. The Act permits a doctor or advice agency to provide abortion information to pregnant women in the context of full counselling as to all available options, and without any advocacy of abortion. The CPP strongly encourages women to consult a recognised and reputable crisis pregnancy counselling service, including those funded by the HSE Positive Options information campaign, www.positiveoptions.ie. In response to an audit, published in 2013, of crisis pregnancy counselling services provided by HSE funded agencies, the HSE has issued additional guidance for service providers to assist them in developing policies and guidelines in this area.

Family planning, sexual and reproductive health services

225. Establishment of the CPP in 2001 (see paragraph 197) was instrumental in a decrease in the teenage birth rate from 20 per 1000 women aged 15-19 in population in Ireland in 2001 to 9.3 per 1000 women aged 15-19 in population in 2014.

226. While there is good availability of, and access to, contraception methods to people of all ages in Ireland, the National Sexual Health Strategy places a particular focus on the provision of RSE to ensure that children and adolescents attain the knowledge, understanding, attitudes and skills required for healthy sexual expression throughout life. See paragraphs 149-150 for further details.

227. The National Maternity Strategy, published in January 2016, recognises that pregnancy and birth is a time when women have a unique opportunity to focus on their health and wellbeing. The Strategy states that postnatal care should promote health and wellbeing for the new mother and baby and underlines the importance of addressing the sexual health and wellbeing needs of the mother at this time, including information on contraception options. The Strategy states that women should be encouraged to attend their GP for contraception advice. The new National Women & Infants Health Programme will, when established, lead the management, organisation and delivery of maternity, gynaecological and neonatal services within the HSE.

Views of minors in the context of contraception

228. Give update on implementation of 2011 LRC recommendations²³ on taking into account the views of minors in the context of contraception. [Response awaited]

Prevalence of chronic non-communicable diseases predominantly affecting women, prevention measures and treatment

229. The development of cancer services in Ireland has been governed by a programmatic approach to cancer control covering prevention; early detection; follow up; research and centralisation based on international evidence for improved outcomes. The National Cancer Control Programme has reorganised cancer surgery based around eight designated cancer centres to ensure that these centres have sufficient activity to provide and maintain on-going surgical expertise. An important element of cancer control in Ireland is evidence-based cancer screening programmes to detect early cancerous, or pre-cancerous, cells with a view to reducing cancer mortality. Quality assurance standards are in place for three cancer screening programmes, including for breast and cervical cancer.

230. The incidence of breast cancer in Ireland in 2013 was 122.6 per 100,000, and the number of women living with it was 1399.6 per 100,000. BreastCheck, the National Breast cancer screening programme, has offered breast cancer screening with biennial mammography to women aged 50-64 years since 2000. The screening programme was extended to women aged 65-69 years in 2015, and the implementation of this decision has commenced. Symptomatic Breast Disease (SBD) Clinics have been established at the eight centres to facilitate early diagnosis. The SBD services are led by a lead clinician in each designated cancer centre and are supported by a multidisciplinary team of cancer specialists. The group of lead clinicians now operates as a cohesive national clinical network through which best practice models are identified and shared to ensure standardisation and service improvement nationally.

231. The incidence of cervical cancer in Ireland in 2013 was 12.4 per 100,000 and the number of women living with it was 140.4 per 100,000. CervicalCheck, the National Cervical Screening Programme, has been in operation since September 2008. It offers cervical screening to women aged 26-60 years. A national HPV vaccination programme, providing vaccination to 1st year post-primary school girls, has been in place since 2010.

232. The prevention and management of cardiovascular disease in both men and women is addressed in the Department of Health policy, Changing Cardiovascular Health: National Cardiovascular Health Policy 2010-2019. This policy places an increased emphasis on primary preventative measures. It details individual and population level measures to reduce heart disease incidence and mortality, and recommends the development and implementation of a multidisciplinary team approach to ensure effective management for patients with heart disease. In Ireland female mortality due to ischemic heart disease fell by 59 per cent between 1990 and 2010.

²³ <http://www.lawreform.ie/2011/law-reform-commission-publishes-report-on-children-and-the-law-medical-treatment.350.html>

233. In the area of the prevention and treatment of overweight and obesity, the Special Action Group on Obesity (SAGO), established in 2011 by the Minister for Health, has issued treatment algorithms to inform primary care staff of the steps to be taken with regard to managing obesity, a risk factor for cardiovascular disease. Both 'adult' and 'child' algorithms have been agreed with health care professionals and are now available. Revised Healthy Eating Guidelines will be launched within the coming months to help inform people about the food and drink choices required for a healthy lifestyle. An Obesity Policy and Action Plan will also be launched this year. From the Healthy Ireland Survey we know that 60% of the Irish population are overweight or obese. For age 25 years and over, 31% of women are overweight and 22% are obese; 53% in total. For those from 15-24, overweight and obesity together are 27%.

234. It is not possible for Ireland to supply information on the percentage of the national budget allocated to fight specific diseases as the recording of expenditure on health does not support this.

Health situation of Traveller women, Roma women, older women, women migrant workers, women with disabilities

235. Elements of mainstreaming and targeted approaches are accepted as necessary in order to ensure equality of access, participation and outcomes for all groups. While mainstream healthcare is the primary vehicle through which all service users, including Travellers and Roma, are enabled to access care and support, it has proved necessary to develop additional programmes that target the specific needs of this group.

236. At present, ethnic identifiers are not used in the health service. This acts as a significant barrier to evidence based planning around the health needs and outcomes of diverse groups of service users, including Travellers and Roma. It is envisaged that the continued development of such identifiers across health services will facilitate improved monitoring of uptake of services and provide information on emerging trends.

237. Positive steps have been taken towards improving Traveller health outcomes. The All Ireland Traveller Health Study (AITHS, 2011) offered an evidence based overview of the health status of Travellers, both female and male. Key findings of this study reflected a widening gap in health status between Travellers and the settled population, with particularly worrying figures in respect of Traveller mortality and morbidity, compared to the settled population. The AITHS also demonstrated that Travellers' access to health services is good, with Travellers stating that their access is at least as good as that of the rest of the population. This is noteworthy as access to primary care services is an important element of health services delivery.

238. Over 94% of Travellers have a Medical Card, with this figure rising to 99% in the older age group. Nearly 97% of all Travellers are registered with a GP. However, the research reports that the healthcare experience is not as good as the general population, with communication cited as a major issue by both Travellers and service providers.

239. Work in relation to Traveller health in the HSE is guided by findings of the AITHS while associated strategies such as the Primary Care Strategy and HSE

National Intercultural Health Strategy provide frameworks within which care and support needs may be effectively addressed. The Social Inclusion care group located within the Primary Care Division of the HSE holds a remit for Traveller and Roma health. The overall structure of the HSE National Traveller Health Advisory Forum, comprising health service staff, Traveller Health Unit (THU) representatives and Traveller representation, continues to provide a strategic and operational framework towards promotion of a consistent approach across THUs to addressing Traveller health priorities identified in the AITHS. The Specific measures are being taken in key areas such as asthma, diabetes, suicide prevention and drugs and other addictions.

240. The Roma community is an especially vulnerable group, particularly as many are not entitled to access health and other public services due to the Habitual Residence Condition. The Tallaght Roma Integration Project (TRIP) along with the Safetynet Primary Care Network and Tallaght Hospital, Dublin, provides the mobile Safetynet Roma GP service to members of the Roma Community, the majority of whom are from the Tallaght and surrounding area of South West Dublin. The Roma GP clinic deals with many health issues, particularly with respect to screening for chronic and acute illnesses, childhood vaccinations and ante-natal care.

241. The Department of Health has been allocated an additional €1,460,000 to provide a Mobile Health Screening Unit from 2016-2017. The objective of this measure is to provide an accessible, targeted screening and primary care service to a wide range of marginalised service users in settings such as hostels, prisons and Direct Provision Centres. The measure will benefit a diverse cohort of marginalised groups including those affected by homelessness, migrants and asylum seekers, Roma, Travellers and those who suffer from addiction.

242. Please see the response to issues raised in paragraph 24 for information on the health situation of women in detention.

243. No data is available on the specific health status of women migrant workers.

244. No data is available on the specific health status of older women.

245. The Survey on Income and Living Conditions (SILC) for 2013 published by the CSO found that 29% of females reported a long-standing health problem, while 16.3% of females reported either some, or severe, long-standing limitations in their usual activities due to health problems

246. The Disability Act 2005 is a positive action measure which provides a statutory basis for making public services including public health and personal social services accessible. It gives effect to the underlying principle that mainstream public services provided to the general public must also serve people with disabilities as an integral part of the service they provide. The health service is obliged to ensure that its buildings, its services, the information it provides, and how it communicates with people, are all accessible to people with disabilities. The National Guidelines on Accessible Health and Social Care Services have been written to give practical guidance to all health and social care staff about how they can provide accessible services. While these guidelines refer to specific disabilities, the health service takes

steps to routinely provide accessible services for all, to positively influence the experience of everybody who uses health and personal social care services.

Rural women

Reply to the issues raised in paragraph 23

Situation of rural women

247. [NO CONTRIBUTIONS TO DATE.]

Social benefits and living standards of rural women and their families

248. Social transfers play a pivotal role in alleviating poverty. While measures to curtail welfare expenditure were introduced over the period up to 2014, the recovery has enabled the Government to introduce a range of welfare improvements in 2014 and 2015. The Department of Social Protection has carried out some work on spatial analysis of poverty trends²⁴. In overall terms, poverty is not spatially concentrated in Ireland. Looking at consistent poverty across the Border, Midlands, West, Dublin, Mid-East, South-East, Mid-West; and South-West regions in 2014, the highest rate was 14.2% in the Border region, down from 18.5% in 2013. In contrast, Dublin experienced the lowest level at 5.1%, which increased from 4.9% in 2013. Other regions with rates above the national average were the South-East (9.7%), Mid-West (9.2%), West (8.6%), South-West and Midlands (both at 8.3%). People in the Border, South-East and Mid-West regions represent 41.3% of those in consistent poverty. Additional spatial analysis is available in the forthcoming Social Inclusion Monitor 2014 which, however, does not currently report on the gender dimension to spatial poverty rates.

Ensuring a gender dimension in rural development

249. Each of the eight Regional Action Plans for Jobs has specific targets for the participation of women on core Local Enterprise Office training programmes. The Plans will also facilitate the growth of networks amongst female entrepreneurs in the regions.

250. In guidelines issued for the development of Local Economic and Community Plans, Local Community Development Committees (LCDCs) and Local Authorities are encouraged to assess the impact of the proposed plan on a number of horizontal priorities, including equality. To identify priorities and include women in local decision-making, the development of these plans involved significant consultation at a local level, including with local women's groups. In addition, where responsibility for the plan lies with the Local Action Group for the purposes of the LEADER element of the Rural Development Programme, the programme rules require that each such Group should aim to secure a balanced gender representation.

251. The Government's Tourism Policy Statement "People, Place and Policy – Growing Tourism to 2025", launched in 2015, notes that employment in the core Accommodation and Food Service sector is closely balanced between males and females. In more rural regions, the female share of employment in Accommodation and Food Service ranges from 50%-62%, indicating that the tourism sector is a strong source of employment for women. The Tourism Policy Statement includes a

²⁴ Due to the sample size, the analysis possible using the Central Statistics Office Survey on Income and Living Conditions (SILC) is limited. Analysis of national poverty indicators can however be complemented by micro-level data on select socio-demographic indicators from the Census (e.g. the Pobal Haase-Pratschke Deprivation Index and the SAHRU National Deprivation Index).

commitment that the Government will encourage the private tourism industry to take comparable measures with regard to facilitating the advancement of women in tourism planning and management roles.

252. The Department of Transport, Tourism and Sport provides funding and a policy framework for the Rural Transport Programme (RTP) through the [National Transport Authority](#) (NTA). The NTA was given national responsibility for integrated local and rural transport, including managing the RTP - and its restructuring - with effect from 1st April 2012. This new role for the NTA, coupled with its existing national remit for securing the provision of public passenger transport services, enables the development of better links between local/rural transport, and scheduled bus/rail services for all groups, including women. The RTP provides services to people whose travel needs are not met by existing bus or train services. The Programme aims to enhance and sustain nationwide accessibility, through community based participation, particularly for those at risk of social exclusion, as well as people with mobility, sensory and cognitive impairments. It plays a major role in combating rural isolation and acts as a catalyst in creating models of partnership, at all levels, where key sectors actively engage in transport provision, to ensure equality of access for all.

253. [ensuring rural women have access to health services – check re Rural Development Strategy]

254. Research conducted between 2003 and 2005 showed that less than 1 in 5 women in Ireland were reaching the levels of physical activity recommended by the WHO. The gender gap in participation extends also across the urban /rural divide. In 2005, Sport Ireland launched the Women in Sport (WIS) initiative to address the clear gender gap that existed in sports participation. There was a significant increase in participation rates among rural women between 2011 and 2013, with almost 46% of women participating regularly in 2013 compared to just over 38% in 2011. This compares with figures of 40.4% for 2013 and 40.2% in 2011 in the participation by urban women.

Rural women's awareness of Convention rights

254. The framework for promotion of human rights at the national level, set out at points 27-29 of this report, also provides for the information needs of rural women.

Disadvantaged groups of women

Reply to the issues raised in paragraph 24

Elderly women, including widows

255. **Material required.**

Women with disabilities

256. General information regarding the human rights situation of persons with disabilities is set out in the core document (HRI/CORE/IRL/2014, para. 193-205).

Migrant women

257. **Material required.**

Traveller and Roma women

258. General information regarding the human rights situation of persons with disabilities and members of the Traveller community is set out in the core document (HRI/CORE/IRL/2014, para. 206-232).

Traveller Accommodation

259. A summary of developments in respect of Traveller accommodation up to February 2014 is set out in the core document (HRI/CORE/IRL/2014, para. 217-225). Under the Housing (Traveller Accommodation) Act 1998, housing authorities have statutory responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller Accommodation Programmes in their areas. In 2013 the fifth National Traveller Accommodation Consultative Committee was appointed for a four-year term. The 4th round of Traveller Accommodation Programmes was adopted in April 2014, and provides a road map for local authority investment priorities in Traveller accommodation from 2014-2018. Traveller accommodation programmes must be prepared in consultation with other public authorities, community and other bodies, Travellers via their local consultative committee, and the public in general.

260. The 2015 Annual Count of Traveller families in local authority and local authority-assisted accommodation and on unauthorised halting sites found that, of a total of 6,109 Traveller families identified, 5,575 families were in accommodation provided by local authority or with local authority assistance, of which 3,229 were in standard local authority housing, 762 were in local authority group housing, 450 were in private houses assisted by local authorities, 199 were in housing provided by voluntary bodies with local authority assistance, and 935 were housed on local authority halting sites. The remaining 534 families were on unauthorised sites.

Women and girls in prison and places of detention

261. 'An Effective Response to Women Who Offend', a Joint Probation Service-Irish Prison Service Strategy 2014-2016, was published in March 2014. The Strategy sets out how the two agencies will work together with other statutory, community and voluntary sector partners to provide more tailored women-centred interventions, reduce offending among this group, improve opportunities for reintegration, and achieve more positive outcomes generally.

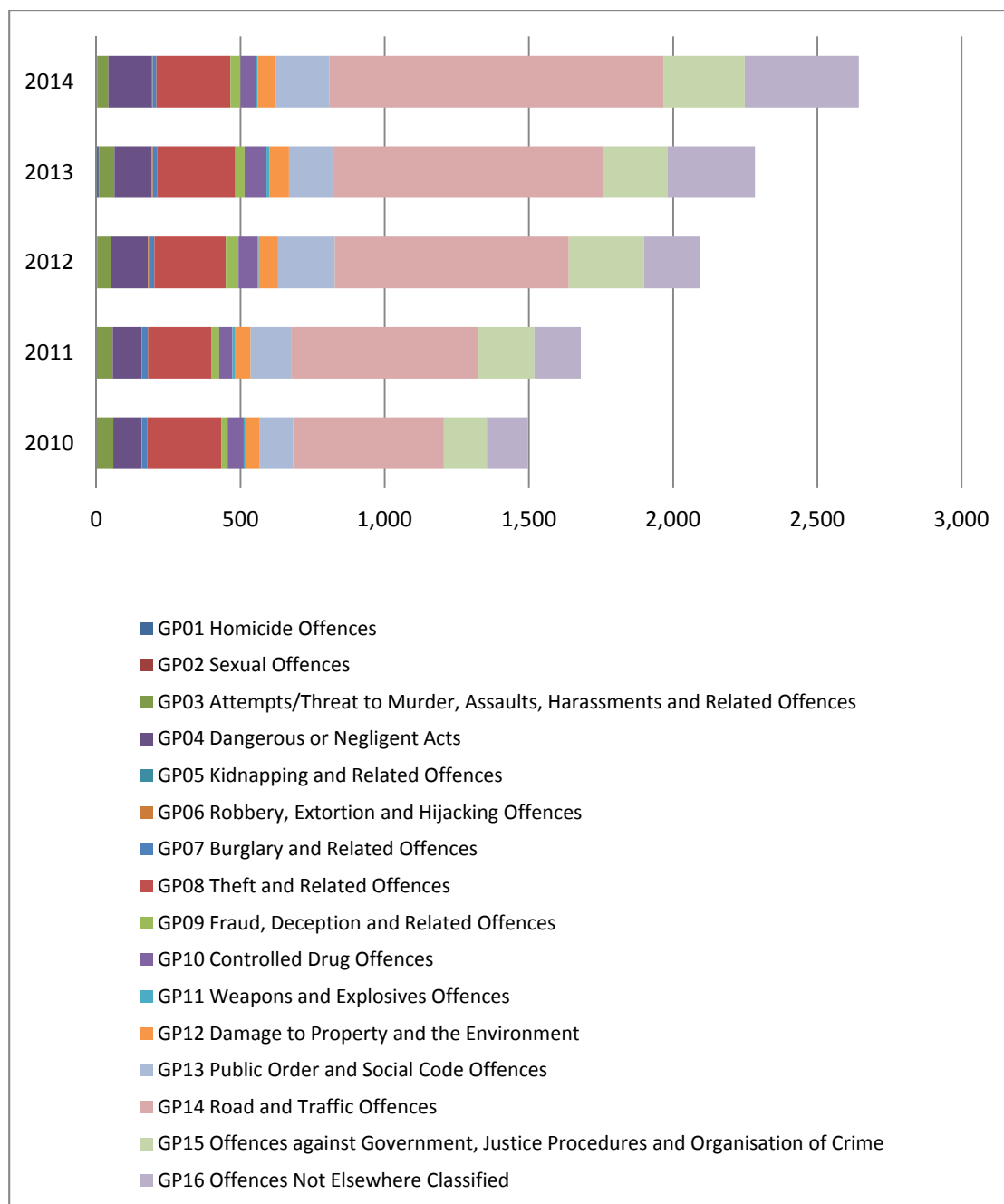
262. On 30 April 2016, a total of 147 female prisoners were in custody.. Of this number, 36 were on trial/remand and 111 were serving sentences. As regards, their age profile, 43% were in the 30-40 age group, 30% in the 18-30 age group and 27% were 40 or older. Table 34 below sets out the offences committed by those serving prison sentences, which shows the highest proportion (38%) is for theft and related offences.

Table 34: Sentenced Female Population classified by Offence Group Description, as of 30 April 2016

Offence Group Description	Dóchas Centre	Limerick Prison	Total
GP08 Theft and Related Offences	29	14	43
GP01 Homicide Offences	14	1	15
GP03 Attempts/Threat to Murder, Assaults, Harassments and Related Offences	11	2	13
GP07 Burglary and Related Offences	8	4	12
GP10 Controlled Drug Offences	5	0	5
GP04 Dangerous or Negligent Acts	3	1	4
GP11 Weapons and Explosives Offences	4	0	4
GP14 Road and Traffic Offences	2	2	4
GP05 Kidnapping and Related Offences	0	2	2
GP06 Robbery, Extortion and Hijacking Offences	2	0	2
GP12 Damage to Property and the Environment	2	0	2
GP13 Public Order and Social Code Offences	2	0	2
GP02 Sexual Offences	1	0	1
GP09 Fraud, Deception and Related Offences	0	1	1
GP15 Offences against Government, Justice Procedures and Organisation of Crime	1	0	1
GP16 Offences Not Elsewhere Classified	0	0	0
Total	84	27	111

263. Yearly sentenced committals of females increased from 1,497 in 2010 to 2,644 in 2014. This increase has largely been driven by a significant increase in sentences for road and traffic offences, as illustrated by Graph 34 below.

Graph 34: Offence Groups of Sentenced Committals of Females, by Year 2010-2014



Girls in detention

264. Since 2007, the Oberstown children detention campus has had responsibility for detention of all girls up to the age of 18 years. There are no girls in the adult prison system. In 2015, girls were detained or remanded in custody in Oberstown, on 11 occasions involving 8 individuals in respect of offences related to theft and fraud, public order, assault and breach of bail. No girls were given a sentence of detention to Oberstown in 2015.

265. Established in late 2013, the Assessment, Consultation and Therapy Service (ACTS) developed by the Irish Youth Justice Service and Tusla has provided clinical services to children placed in the children detention schools and the special care units managed by Tusla. ACTS also engages in short term interventions when children

return to their communities to support them to re-engage with mainstream services as appropriate.

Alternatives to custody

266. The number of persons imprisoned for non-payment of fines is a tiny fraction of the overall prisoner population. On 30 April 2016, only one female was in custody for non-payment of a fine.

267. Alternatives to custody continue to be pursued and various laws have been introduced in this regard. These include the Criminal Justice (Community Service) (Amendment) Act 2011 which requires the sentencing judge to consider the imposition of community service where a custodial sentence of 12 months or less is being considered. The Fines (Payment and Recovery) Act 2014, which commenced on 11 January 2016, addresses the refusal or failure of a person to pay fines and provides that imprisonment will only apply as a last resort where it is not appropriate to make an Attachment Order, a Recovery Order or Community Service Order or where a Community Service Order is made and the person fails to comply with it. The Court imposing a fine must take into account a person's financial circumstances. It further provides that where a person fails to pay a fine the Court may make an attachment of earnings as a means of recovering an unpaid fine. As a result of this legislation it is expected the number of committals to prison on short sentences will reduce.

268. The Civil Debt (Procedures) Act 2015 provides for the abolition of imprisonment of debtors for non-payment of civil debts, and also provides for the attachment of earnings or deductions from social welfare payments.

Traveller women and girls in prison

269. The All Ireland Traveller Health Study (2010) concluded that the relative risk of imprisonment of Traveller women was 9.8-11.5 per 10,000, and 18-22 times that of non-Traveller women. Discrimination and conflict management and resolution are addressed in the National Traveller/Roma Integration Strategy (2012). The HSE is supporting an initiative around Travellers in Prison. The HSE Social Inclusion care group has provided funding specifically towards research on the unique needs and issues of Traveller women in custody.

The health situation of female prisoners

270. Incarcerated women tend to have complex healthcare needs. Use and abuse of drugs often impairs their ability to benefit from prison programmes. Prisoners may have a poor history of self care and it can be a challenge to empower them in this regard.

271. However, the general standard of healthcare delivered to women in prison is at least on a par with that in the community. While the prevalence of HIV in prisons in Ireland remains low, healthcare staff remain vigilant in encouraging screening and early treatment as outcomes are better with early intervention. Where sexual abuse is identified women are supported by health and psychology staff in the first instance and a referral is made for rape counselling services. Innovative practices include linking to national screening programmes for breast and cervical cancer, a general policy of non-prescribing or detox from benzodiazepine and hypnotics, and a healthy

lifestyle initiative under which women are encouraged to take responsibility for their health through a programme of education and exercise.

272. Medical care for pregnant female prisoners, including both pre and ante-natal care, is comparable to that available to women in the community. Ante-natal medical care is provided on the basis of a shared care arrangement between the woman's General Practitioner and her hospital. In conjunction with this care, the IPS 24hr nursing service provides immediate attention as required in case of emergency with urgent transfer to hospital available as necessary. In the Dóchas Centre, pregnant prisoners who meet the requirements of independent living without increased supervision are generally housed in the Phoenix House unit, a separate building with apartment style units furnished to a high standard of comfort. Where a female prisoner gives birth to a child during her term of imprisonment, or a woman whose child is less than twelve months of age is imprisoned, the child may remain with the mother in prison until the child has reached twelve months of age.

273. Mental Health Services are managed by the Primary Care Service in the first instance, with complex cases referred to the HSE in-reach services. These services are provided by the HSE/National Forensic Mental Health Services, through consultant psychiatrists and community psychiatric nurses in the Dóchas Centre and through the HSE community psychiatric services in Limerick.

274. An Oversight Group was established in 2014 to review and update the mental health training programme for all prison staff. A review of Irish Prison Service Psychology Service, commissioned in 2015, has concluded and identifies a more integrated role for the Psychology Service, placing a particular emphasis on its role in managing longer term offenders. Progress is being made to implement its recommendations, which address offenders with adjustment issues, substance misuse issues, and mental health issues, and life sentenced prisoners. Nurses entering the prison service undergo a specific prison nursing education programme on addressing the provision of healthcare to the client group at large. A Mental Health Awareness programme and a 'Women Awareness Staff Programme' have been developed. All staff working with women complete the Women Awareness Staff Programme, which addresses specific issues in relation to women in prison, including factors likely to have led them to criminal behaviour, the issues women face when in prison, and the effect of imprisonment on mothers and their children.

Marriage and family relations

Reply to the issues raised in paragraph 25

The family home

275. Protection is provided for the family home of a married couple under the Family Home Protection Act 1976 as amended by the Family Law Act 1995. Similar protection is provided for the shared home of civil partners by the the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. This legislation prevents one spouse or civil partner from selling, mortgaging, leasing or transferring the family or shared home without the consent of the other spouse or civil partner. The courts can dispense with the other spouse's or civil partner's consent where it considers that the withholding of consent is unreasonable. A spouse or civil partner is also able to apply to the courts for orders restraining the other spouse or civil partner from doing anything that might reduce his or her interest in the shared home or make it unsuitable to live in.

276. Whilst some family homes are held in the sole name of one spouse, many family homes are held in the names of both spouses as a joint tenancy as this is often a condition of the mortgage used to buy the house. By providing that no stamp duty or registry fees are payable on the transfer of a family home or shared home into a joint tenancy the Government encourages spouses and civil partners to put the family or shared home into their joint names.

277. Under the Family Law Act 1995, in deciding on the right to occupy the family home on the occasion of a judicial separation or divorce, the court shall have regard to the welfare of the spouses and any dependent member of the family and must ensure that proper provision is made for them having regard in particular to the income, assets and needs of the parties.

278. A 2011 study²⁵ carried out for the Office of the Minister for Children and Youth Affairs looked at separation and divorce agreements made in the Family Law Circuit Courts and noted orders made in respect of the family home. Among the 63 home-owners, mothers (33) were more likely than fathers (7) to remain in the family home. Approximately half of these mothers, mostly with children, were given the family home in a compensatory package in lieu of maintenance or because of paternal desertion of the family. In the case of the other mothers (14), they made a financial settlement with the father that recognised his equity in the home. In 6 cases the father retained the family home, but paid their wives for their share. In the sole case in which the father got the family home, his wife had deserted him. Three mothers were permitted to reside in the family home for as long as their children were dependent.

Distribution of property upon divorce or dissolution of de-facto union

279. The Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 introduced a redress scheme for couples who are not married or registered in a civil partnership to provide protection for a financially dependent member of the couple if a long-term cohabiting relationship ends either through death or separation. The scheme came into effect on 1 January 2011 and provides that a financially

²⁵ See also paragraph 255.

dependent cohabitant may apply to the courts for redress by way of orders such as maintenance, property adjustment, pension adjustment and related orders, or for provision to be made from the estate of a deceased cohabitant. There is limited case law to date on these provisions but they have been given effect by the courts.

Economic situation of women and children in the aftermath of a divorce

280. The economic impact of separation and divorce remains a developing area of research and study regarding social exclusion and poverty.

281. A report published in 2011 by the Office of the Minister for Children and Youth Affairs in the National Children's Strategy Research Series, the report "*Post-Separation Parenting: A study of separation and divorce agreements made in the Family Law Circuit Courts of Ireland and their implications for parent-child contact and family lives*" by Dr. Evelyn Mahon and Elena Moore identified the poverty implications of divorce and separation as a policy issue for consideration.

Additional information