

Seeking Advice and Redress Against Racism in Ireland

An Information Handbook

**NCCRI, the Equality Commission For Northern Ireland and the
National Action Plan Against Racism**



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Disclaimer

While every effort has been made to ensure that the information in this handbook is up to date and accurate, the authors will not be held responsible for any errors.

The publishers of this handbook also recommend as a companion to this handbook the publication by Comhairle: Where to Complain booklet (August 2004) Available online at www.cidb.ie and the information published on the Equality Authority website www.equality.ie.

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Introduction

The purpose of this handbook is to provide information to individuals, community groups and advice organisations on where to complain, seek advice and redress on the different forms of racism in Ireland. It was first published by the National Consultative Committee on Racism and Interculturalism (NCCRI), based in Dublin and the Equality Commission for Northern Ireland (ECNI), based in Belfast to mark International Day Against Racism, on 21st March 2005 and has since been revised and re-launched to mark International Day Against Racism on 21st March 2006.

This handbook relates to Ireland (the Republic of Ireland); a separate handbook has been published on Northern Ireland.

The handbook recognises that racism is a multifaceted issue that can range from assaults and threatening behaviour to discrimination in the workplace or in the provision of goods and services and systemic issues. It seeks to provide guidance on where you should seek further information, advice and redress against racism/racial discrimination.

The handbook acknowledges that many will know that if they need to complain or seek advice and redress against discrimination on any of the nine grounds in the equality legislation in Ireland, they should seek advice from the Equality Authority or Equality Tribunal. They will also know in relation to assaults, threatening behaviour and incitement, they should report the problem to their local Garda station.

However, do you know about the role of Garda ethnic liaison officers around the country who can offer advice and assistance? Do you know where to complain if you encounter

racism on the internet? Whose responsibility is it to remove racist graffiti that appears on a wall in your neighbourhood? What complaint mechanisms are in place if you consider that an advertisement or a television programme causes serious offence to minority ethnic groups? What other complaint mechanisms are available in respect of employment or accommodation? This handbook seeks to bring all this information together in an accessible format and is also available on our website: www.nccri.ie.

Part 1: Focuses on discrimination in the area of employment and in the provision of goods and services.

Part 2: Focuses on racial incidents including assaults threatening behaviour and incitement to hatred.

Part 3: Focuses on the media and the internet.

Making a Complaint: Some Practical Advice

The following is general advice on making a complaint on racism.

1. Make careful records of the incident(s)
2. Keep careful records of your complaint, including correspondence and copies of completed forms
3. Seek witnesses to the incident and if possible the contact details of witnesses
4. Seek evidence that will substantiate your complaint (for example in cases of assault, seek written confirmation of injuries sustained from a medical practitioner)
5. Using this handbook, decide what form of racism took place. The two main categories are:
 - a. Discrimination (equality law)
 - b. Racist Incidents (criminal law)
6. If the incident is one of discrimination, the primary bodies from which to seek advice and redress are the Equality Authority and the Equality Tribunal
7. Ensure that your complaint is made in time (this handbook provides information on deadlines under equality legislation)
8. If the incident is related to the criminal law the primary bodies of complaint and redress are the police (Gardaí) and the courts
9. In the case of reporting a possible crime to your local Garda station, it is often also useful to contact your local Garda Ethnic Liaison Officer
10. From this handbook identify other bodies that might help you resolve an issue for example the landlord/housing management agent, the employer, a local politician or an NGO that specialises in advice and support

11. Consider the full range of possible redress, including for example, the mediation service provided by the Equality Tribunal
12. If you have been a victim of a racist incident, seek support from friends and colleagues or 'Victim Support', an NGO specialising in supporting victims of crime
13. Fill in an NCCRI Racist Incident reporting form available on the website: www.nccri.ie, by emailing info@nccri.ie, or telephoning the NCCRI on 01 8588000.

Part 1: Discrimination (equality law)

Part one of this handbook covers discrimination, which is primarily covered by equality legislation in Ireland. The relevant bodies are the Equality Authority (advice, information and support) and the Equality Tribunal (decisions on claims and mediation). This part looks at how to make a complaint under equality legislation. It also considers other related complaint mechanisms, particularly in relation to employment and accommodation. Part 1 of the Handbook is structured as follows:

- 1.1 Defining Discrimination**
- 1.2 Discrimination in Employment Matters**
- 1.3 Discrimination in the Provision of Goods and Services**
- 1.4 Making a Complaint**
- 1.5 Other Complaint Mechanisms**
- 1.6 Dealing with Discrimination: Useful Contacts**

1.1 Defining Discrimination

The two key pieces of equality legislation are the Employment Equality Acts, 1998 and 2004 and the Equal Status Acts, 2000 and 2004. These Acts prohibit direct and indirect discrimination across nine grounds. These grounds are gender, marital status, family status, sexual orientation, religion, age, disability, 'race' and membership of the Traveller community. Under the equality legislation the most relevant grounds for the focus of this handbook is the 'race' ground, which covers 'race', skin colour, nationality and ethnic or national origin and the Traveller ground which provide protection against discrimination experienced by the Traveller community. Some complaints may fall under one or more grounds covered by the equality legislation.

Discrimination has a specific meaning in the equality legislation. It is described as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine grounds. There are different types of discrimination covered by the legislation including direct and indirect discrimination, and discrimination by association.

The different forms of discrimination covered by the equality legislation

Direct discrimination occurs when a person is treated less favourably than another, in similar circumstances, because of his or her 'race', ethnicity, national origin, nationality or colour.

Indirect discrimination is about practices or policies, which seem fair at first sight but which in effect, either intentionally or more often un-intentionally, result in discrimination against some minority ethnic group or groups. It happens where people are, for example, refused employment not explicitly for discriminatory reasons but because of a policy, practice, or requirement they find hard to meet. The employer, in this example, will be found to have indirectly discriminated against the person on one of the nine grounds unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

Discrimination by association happens when a person associated with another person who belongs to a particular ethnic minority is treated less favourably because of that association.

1.2 Discrimination in Employment Matters

Discrimination in employment is dealt with in the Employment Equality Act 1998, as amended by the Equality Act 2004. The Act covers advertising of a vacancy, equal pay, access to employment, vocational training and work experience, terms and conditions of employment, promotion or re-grading, classification of posts, dismissal and collective agreements.

The Act applies to full-time, part-time and temporary employees, public and private sector employment, vocational training bodies, employment agencies, trade unions, professional and trade bodies. The Act also extends to the self-employed, partnerships and people employed in another person's home, although in the latter category this only extends to working conditions, not accessing the employment.

Sometimes victimisation occurs where an employee is dismissed or subjected to adverse treatment as a reaction to him/her taking a case under the Employment Equality Acts. This behaviour on the part of the employer is prohibited under equality legislation. Also, employers are liable for anything done by an employee in the course of his or her employment, including discrimination, unless the employer can prove that he or she took practicable steps to prevent the discrimination.

Exemptions

The prohibition on discrimination in the employment field is subject to a number of important exemptions or exceptions. Some of the exemptions apply to particular types of employment, some apply to particular grounds and some apply to provisions in other legislation. The range of exemptions go beyond the scope of this guide and we advise contacting the Equality Authority to see if any of these exemptions apply to your case.

1.3 Discrimination in the Provision of Goods and Services

Discrimination suffered on the grounds of 'race' or Traveller community (or the other seven grounds) in trying to access goods and services is dealt with in the Equal Status Acts 2000 and 2004. The Acts apply to people who:

- **Buy and sell a wide variety of goods**
- **Use or provide a wide range of services**
- **Obtain or dispose of accommodation**
- **Attend at or are in charge of educational establishments.**

There are separate provisions on clubs. People cannot discriminate (subject to certain exemptions) when they are providing goods and services to the public. It does not matter that the goods or services are free or where they are sold, hired, rented or exchanged. Access to and use of services is covered.

Claims of discrimination in relation to licensed premises are now dealt with in the District Court instead of the Equality Tribunal since the law changed on the 19th September 2003. The main relevant provisions are contained in the Intoxicating Liquor Act 2003.

Definition of a Service

Services are defined as follows:

- **Banking, insurance, grants, loans, credit or financing**
- **Entertainment, recreation or refreshment**
- **Cultural activities**
- **Transport or travel**
- **A service or facility provided by a club which is available to the public or a section of the public**
- **A professional trade or service**

This list is not exhaustive and generally a broad interpretation of what is a service is taken. Services provided by the State (health boards, local authorities etc) are covered subject to exemptions.

Exemptions

The prohibition on discrimination in the provision of goods and services is subject to a number of important exemptions. The Equality Authority has stated that these exemptions should be read restrictively and should not be allowed to unduly restrict the general prohibition on discrimination. The broadest general exemption is that anything mandated by an Act of the Oireachtas or EU Law is allowed. This exemption would not cover circumstances where there is an element of choice or discretion as to how the services are provided. There are also certain exemptions on the ground of nationality for public authorities. The range of the exemptions go beyond the scope of this guide and we advise contacting the Equality Authority to see if any of these exemptions apply to your case.

1.4 Making a Complaint

The Equality Authority provides information to the public on the equality legislation. The Equality Authority may at its discretion, where the case has strategic importance, provide legal assistance to people who wish to bring claims, subject to the criteria set down by the Board of the Equality Authority.

Equality Tribunal

The Employment Equality Act established the Equality Tribunal, a quasi-judicial body that appoints Equality Officers to hear and decide claims of discrimination in employment and in the provision of goods and services under equality legislation. Equality Officers can also mediate in disputes. In relation to discrimination in employment, the Employment Equality Act 1998 and 2004 states that a complaint must be made within six months of the last incident of discrimination, except in cases of equal pay.

In the case of discrimination in the provision of goods or services, a person wishing to make a claim of discrimination must notify the person against whom the claim is made in writing within two months of the date of the most recent occurrence of the discrimination. This written notification can be fulfilled by filling out a form, available from the Equality Tribunal. This notice must identify the nature of the claim and the intent to seek redress. If this written notification is not sent a claim cannot be pursued. People with intellectual or psychological difficulties are allowed to have a parent, guardian or other person act on their behalf. If there is no reply or the reply is unsatisfactory the complaint can then be referred to the Equality Tribunal within 6 months of the discrimination.

In relation to both employment and goods and services, the date on which a complaint is made is taken as the date on which the Tribunal receives a completed complaint form, forms are available from the Tribunal.

The two month or six month time limit can be extended up to 12 months by the Director of the Equality Tribunal 'for reasonable cause'. In exceptional circumstances the Director may waive some or all of the written notification requirements.

Mediation and Investigation

When a complaint is received by the Tribunal both sides are asked whether they want the case to be dealt with by mediation or by investigation. If one party does not agree or if the Director considers that the case could not be resolved by mediation, it is referred to an Equality Officer for a formal hearing. Investigations are held in private. Legal or other representation is not essential although many people choose to be legally represented or to be represented either by a professional association or by a representative body. Having considered all of the evidence the Equality Officer will issue both parties with a legally binding decision, which is enforceable through the Circuit Court.

If either side is unhappy with the outcome of an Equality Officer's Decision, it is open to them to appeal the matter to either the Labour Court or Circuit Court not later than 42 days from the date of the decision where a new hearing of the issue will take place. A final decision of the Director of Equality Investigations or the Labour Court may be enforced through the Circuit Court. Where a determination is made by either the Labour Court or Circuit Court on appeal, either party may appeal to the High Court on a point of law.

The Equality Authority has statutory powers and responsibility for overseeing and monitoring legislation, including the Employment Equality Act 1998 and 2004, and the Equal Status Act 2000 and 2004. Moreover, the Equality Authority has a public information role, is responsible for mainstreaming equality and initiating equality actions throughout the state.

There are a number of mechanisms for bringing complaints regarding racism and discrimination in the workplace. Such mechanisms either provide specifically for discrimination and racism, or more generally for breaches of labour law. There are trade unions, NGOs, and other bodies, which support minority ethnic communities in bringing complaints, though such supports are limited and inevitably are forced to restrict their activities to only the most serious cases. Some of these bodies are described in the following section.

1.5 Other Complaint Mechanisms

This section looks at other related complaint mechanisms in the areas of employment and accommodation.

Employment

Discrimination in employment can sometimes be aggravated by poor or exploitative working conditions. It should be noted that all people working legally in Ireland have the same basic rights to complain and seek redress under employment protection law in Ireland, although in practice they may be less likely to know or invoke their rights for a range of reasons. If you are in employment and there is a trade union where you work, they may be able to help you to bring a grievance.

The Labour Inspectorate is a Unit within the Employment Rights and Industrial Division of the Department of Enterprise, Trade and Employment. Though not an adjudication body, inspectors have the power to enter premises, inspect wage sheets and other records, interview both employers and employees, recover pay arrears and, if necessary, take civil/criminal proceedings. Enforcement is generally carried out on the basis of complaint investigation, a mix of planned/targeted inspections, undertaken by Inspectors operating on a team basis working throughout the country.

The Labour Court provides a comprehensive service for the resolution of disputes about industrial relations, equality, organisation of working time, national minimum wage, part-time work and fixed-term work matters. The Labour Court acts as a court of appeal in relation to the decisions of the Rights Commissioners and Equality Officers.

All workers in Ireland are free to join trade unions. Trade unions are organisations made up of workers who act together to increase the influence they have over quality of working lives. Trade unions often support individuals who feel they have been discriminated against. If you are a member of a trade union, you can discuss discrimination with your union representative and he/she can act on your behalf with your employer.

Accommodation

Depending on the nature of the complaint it is well worth making representations to bodies involved in housing management and mediation in the private rented and local authority/social housing sectors. For example, landlords in the public and voluntary housing sector will have obligations and policies to deal with all forms of housing management, including letting procedures and anti-social behaviour. Sometimes issues

of racism can only be resolved by a number of bodies working together, such as NGOs, local authorities and the Gardaí.

Private Rented Sector

The Private Residential Tenancies Board (PRTB) was put on statutory footing with the enactment of the Residential Tenancies Act 2004. It is an organisation set up by the Government to mediate disputes between landlords and tenants in private rented accommodation. The mediator helps landlords and tenants to come to an agreement that works for both of them. Provisions in the Act allow for a new dispute resolution service through the PRTB instead of the Courts, involving mediation or adjudication and tenancy tribunal hearings, as well as other related elements of the legislation. These include provisions setting out clearly the statutory tenancy obligations of landlords and tenants.

The role of the PRTB, in addition to providing a State-subsidised dispute-resolution service for private sector tenants and registered landlords, and operating the new tenancy-registration system, includes a range of monitoring, research, information and policy-advice functions in relation to the private rented sector.

Local Authority and Other Forms of Social Housing

There is also a substantial strengthening of local authority powers under the Housing (Miscellaneous Provisions) Act 1997 to deal with anti-social behaviour in housing estates. If you want to complain about incidents motivated by racism that occur on a local housing estate or in regard to any issue in relation to housing management including letting policies, you should write to or contact the local estate manager or housing department in the first instance or the relevant City or County Manager. Addresses of all local authorities and their different sections are in the State Services Section of the telephone directory or online at www.irlgov.ie/organisations.

Other forms of social housing such as housing associations and housing co-operatives also have policies which cover all areas of housing management including letting and anti-social behaviour. Those involved in housing management can play an important role in resolving issues through mediation or through the threat of eviction or other measures that can deal with persistent harassment.

Traveller Specific Accommodation

The mechanisms in place for Travellers to complain and seek redress in relation to accommodation issues depends on the type of accommodation in which they are living

or where the accommodation is located. In relation to halting sites and group housing schemes, in some sites there is a caretaker or an estate management policy in place. In most instances dealing with complaints is the responsibility of the Traveller section or the housing department within the relevant local authority. Pavee Point operates a mediation service that can provide advice and support in certain circumstances.

Asylum Seekers in Direct Provision

The Reception and Integration Agency (RIA) informs asylum seekers of the procedures for making complaints regarding direct provision centres in an information booklet, which is given to each new arrival to any accommodation centre. If a complaint cannot be resolved locally then a standard complaints form can be completed and submitted to the RIA for a formal resolution.

1.6 Dealing with Discrimination: Useful Contacts

This section provides contact details and a summary of the functions of the bodies mentioned in part one of this handbook, which focuses on discrimination in employment and the provision of goods and services.

Equality Tribunal

3 Clonmel Street

Dublin 2

Tel: 01 4774100

Fax: 01 4774141

LoCall: 1890344424

Website: www.equalitytribunal.ie

Email: info@equalitytribunal.ie

Function: The Equality Tribunal is a statutory body that investigates and/or mediates on disputes in relation to the implementation of the employment equality and equal status legislation. It employs Equality Officers to investigate complaints. You may complain about discrimination on a number of grounds – gender, age, disability, sexual orientation, marital status, family status, religion, ‘race’ and membership of the Traveller community. The alleged discrimination may arise in employment, provision of services, disposal of goods and property and education.

Equality Authority

Clonmel Street

Dublin 2

Tel: 1890 245545 or 01 4173333

Fax: 01 4173366

Text Phone: 01 4173385

Website: www.equality.ie

E-mail: info@equality.ie

Function: The Equality Authority is a statutory body. It has a general remit to promote equality under the employment equality and equal status legislation. It provides assistance to people who consider they have been discriminated against in employment and related areas and in access to services on grounds of gender, age, disability, sexual orientation, marital status, family status, religion, 'race' and membership of the Traveller community in vindicating their rights.

District Court

The Courts Service has a full and up to date list of district courts around Ireland:

The Courts Service

15 / 24 Phoenix Street North

Smithfield

Dublin 7

Tel: 01 888 6000

Website: www.courts.ie

Function: Ireland is divided into 23 districts and each has at least one District Judge. In civil cases the District Court can award damages of up to €6,350. As stated earlier, claims of discrimination in relation to registered clubs or licensed premises are now dealt with in the District Court. You have the right to appeal to the Circuit Court against any decision of the District Court. People often appear in the District Court without a solicitor or barrister. In some cases legal aid may be available (please see contact details for 'Legal Aid Board' below). If you want to start an action in the District Court you can contact the Clerk of the Court and you will be advised how to go about it. You may get assistance from the Equality Authority to take a case to the District Court.

Employment Rights Information Unit

Department of Enterprise, Trade and Employment

Davitt House

65a Adelaide Road

Dublin 2

Tel: 01 631 3131

LoCall: 1890 201 615

Email: erinfo@entemp.ie

Website: www.entemp.ie

Function: Answers enquiries from people about employment rights legislation and informs them of the rights and obligations of employees and employers under the legislation.

Labour Relations Commission

Tom Johnson House

Haddington Road

Dublin 4

Tel: 01 613 6700

Fax: 01 613 6701

LoCall: 1890 220 227

Email: info@lrc.ie

Website: www.lrc.ie

Function: The Commission has responsibility for promoting good industrial relations in the Irish economy through a range of services including mediation and a rights commissioner service.

Rights Commissioners

Tom Johnson House

Haddington Road

Dublin 4

Tel: 01 613 6700

Fax: 01 613 6701

LoCall: 1890 220 227

Email: rightscomm@lrc.ie

Website: www.lrc.ie

Function: The Rights Commissioners are a service of the Labour Relations Commission but they are independent in their operations. Most of their work concerns individual grievances. They investigate breaches of a range of employment legislation. You may appeal against a Rights Commissioner's recommendation to the Labour Court; the Court's decision is then binding.

Labour Court

Tom Johnson House

Haddington Road

Dublin 4

Tel: 01 613 6666

Fax: 01 6136667

LoCall: 1890 220 228

Email: info@labourcourt.ie

Website: www.labourcourt.ie

Function: The Labour Court provides a free, comprehensive service for the resolution of industrial relations disputes. It issues non-binding recommendations setting out its opinion on the dispute and the terms on which it should be settled.

Labour Inspectorate

Department of Enterprise, Trade and Employment

Davitt House

65a Adelaide Road

Dublin 2

Tel: 01 631 3067

Fax: 01 631 3279

LoCall: 1890 220 222

Email: inspectorate@entemp.ie

Website: www.entemp.ie

Function: The Labour Inspectorate in the Department of Enterprise, Trade and Employment is responsible for enforcing certain pieces of legislation in relation to employment. It also has a role in record inspection/information gathering for other parties within the Department of Enterprise, Trade and Employment.

Legal Aid Board

Head Office

Quay Street

Cahirciveen

Co. Kerry

Tel: 066 947 1000

Fax: 066 947 1035

LoCall: 1890 615 200

Website: www.legalaidboard.ie

Function: The Legal Aid Board administers the civil legal aid scheme which is available in a number of Law Centres throughout the country. A list of the law centres is available from the Board. You may qualify for legal aid if you pass a means test.

Migrant Rights Centre Ireland

55 Parnell Square West

Dublin 1

Tel: 01 889 7570

Fax: 01 889 7579

E mail: info@mrci.ie

Website: www.mrci.ie

Function: The Migrant Rights Centre Ireland is a national rights-based non-governmental organisation working with migrants and their families in pursuit of their rights. It provides assistance and representation to migrant workers in bringing cases subject to available resources.

Immigrant Council of Ireland

2 Andrews Lane

Dublin 2

Tel: 01 674 0200

Fax: 01 645 8031

Email: info@immigrantcouncil.ie

Website: www.immigrantcouncil.ie

Function: The Immigration Council of Ireland is a national non-governmental agency that responds to the needs of immigrants in Ireland. It provides advice, advocacy and referral services to immigrants.

Irish Immigrant Support Centre, NASC

Enterprise House

35 Mary Street

Cork

Tel: 021 431 7411

Fax: 021 4317402

Email: info@nascireland.org

Website: www.nascireland.org

Function: The Irish Immigration Support Centre is a non-governmental agency that provides advice, advocacy and referral services to immigrants in the Cork area.

SIPTU

Head Office

Liberty Hall

Dublin 1

Tel: 01 8586300

Fax: 01 8749466

Lo Call: 1890 747 881

Email: info@siptu.ie

Website: www.siptu.ie

Function: SIPTU is Ireland's largest trade union with offices all around the country which can give you advice on your rights and entitlements.

Irish Business and Employers Confederation (IBEC)

Confederation House

84/86 Lower Baggot Street

Dublin 2

Tel: 01 605 1500

Fax: 01 638 1500

Email: info@ibec.ie

Website: www.ibec.ie

Function: The Irish Business and Employers Confederation provides a wide range of services to member businesses and organisations from all sectors and is the umbrella body for Ireland's sectoral groups and associations. It is the national voice of Irish business and employers.

Irish Congress of Trade Unions (ICTU)

31-32 Parnell Square

Dublin 1

Tel: 01 889 7777

Fax: 01 8872012

Email: congress@ictu.ie

Website: www.ictu.ie

Function: The ICTU is a civil society organisation, representing and campaigning on behalf of working people. There are currently 56 unions affiliated to Congress, north and south of the border. Congress can provide information on which trade union services your industry.

City Bridges

3rd Floor

Liberty Hall

Dublin 1

Tel: 01 878 7272

Fax: 01 878 7182

Email: kglackin@siptu.ie

Function: City Bridges is an initiative of the Irish Trade Union Trust which is the social solidarity service of SITPU, which among its roles seeks to provide information to migrant workers to improve their rights.

Private Residential Tenancies Board

Canal House

Canal Road

Dublin 6

Tel: 01 8882960

Fax: 01 8882819

Email: prtb@environ.ie

Function: The Private Residential Tenancies Board is responsible for the operation of a national dispute resolution service for landlords and tenants in the private rented residential sector.

Threshold

21 Stoneybatter

Dublin 7

Tel: 01 678 6096 / 021-4278848 (Cork)

Fax: 01 677 2407

Email: advice@threshold.ie

Website: www.threshold.ie

Function: Threshold provides advice and advocacy on housing problems.

Reception and Integration Agency (RIA)

Block C

The Ardilaun Centre

112-114 St Stephen's Green West

Dublin 2

Tel: 01 418 3200

Lo Call: 1890 777 727

Fax: 01 4183271

Email: RIA_Inbox@justice.ie

Website: www.ria.gov.ie

Function: RIA is responsible for planning and co-ordinating the provision of services to asylum seekers, refugees, and persons with leave to remain in the State. It deals with complaints in relation to discrimination in Direct Provision accommodation centres.

Department of the Environment, Heritage and Local Government

Custom House

Dublin 1

Tel: 01 8882000

Fax: 01 8882888

Locall: 1890 20 20 21

Website: www.environ.ie

Local Authorities

Addresses of all local authorities and their different sections are in the State Services Section of the telephone directory.

Part 2: Racial Incidents¹ (criminal law)

Part Two of this handbook focuses on racial incidents that are for the most part covered by the criminal law. These racial incidents can take many different forms, for example, physical assaults, damage to the home or property, as well as verbal abuse, hate mail or circulating racist leaflets and material. This section focuses on racial incidents that are primarily criminal law issues.

This part of the handbook is divided as follows:

- 2.1 Defining a racial incident**
- 2.2 Assaults, including fatal assaults**
- 2.3 Criminal damage**
- 2.4 Threatening behaviour**
- 2.5 Incitement to hatred**
- 2.6 Circulation of offensive material/graffiti**
- 2.7 Making a complaint**
- 2.8 Racial Incidents: useful contacts**

2.1 Defining a Racial Incident

According to An Garda Síochána, a racial incident is any incident which is perceived to be racially motivated by:

- **The victim**
- **A member of An Garda Síochána**
- **A person who was present and who witnessed the incident**
- **A person acting on behalf of the victim.**

There is a range of both general and specific legislation in place that can and has been used against the perpetrators of racial incidents covered by the criminal law, including:

- **Criminal Justice (Public Order) Act 1994**
- **Criminal Justice Act 1964**
- **Non-Fatal Offences Against the Person Act 1997**
- **Criminal Damage Act, 1991**

¹ The NCCRI prefers the term 'racist incidents' but acknowledges that the term presently used by the Gardaí is 'racial incidents'.

- **Prohibition of Incitement to Hatred Act 1989**
- **Byelaws, for example Byelaws enforced by transport companies such as CIE**

2.2 Assaults, Including Fatal Assaults and Damage to Property

Fatal Assaults

Section 4 of the Criminal Justice Act 1964 governs fatal offences against the person, namely the offence of murder. A life sentence is mandatory for murder.

Manslaughter is dealt with under Section 5 of the Offences Against the Person Act 1861 of which the sentence is life imprisonment. The Criminal Damage Act 1991 has also the potential to be used against those involved in criminal damage, irrespective of motivation.

Non-Fatal Assaults

The Non-Fatal Offences Against the Person Act 1997 deals with assaults and updates Offences Against the Person Act 1861

Section 2 (1) determines that an assault is a summary offence that may attract a sentence of six months imprisonment and a £1,500 fine

Section 3 contains the offence of assault causing harm. If prosecuted on indictment, it attracts a maximum penalty of 5 years imprisonment or an unlimited fine. On summary conviction the penalty may be a fine and 12 months imprisonment

Section 4 contains the offence of assault causing serious harm and the penalty is a fine (unlimited) and life imprisonment. Section 1 of the Act defines serious harm

Section 5 (1) states that it is an offence to threaten to kill or seriously harm another. The penalty on summary conviction is 12 months imprisonment a fine and on conviction on indictment, is 10 years imprisonment and an unlimited fine.

2.3 Criminal Damage

Section 2(1) of the Criminal Damage Act, 1991 makes it an offence for a person to damage property belonging to another. A person convicted of an offence will be ordered to pay compensation in respect of the damage. Section 2(2) deals with the offence of damaging property intending to endanger the life of another. Section 3 contains the offence of threatening to damage property.

2.4 Threatening Behaviour, Including Verbal Abuse and Harassment

Threatening behaviour can include threats, verbal abuse and harassment. There is a range of legislation and bye-laws relevant to this form of racism, including the Criminal Justice (Public Order) Act 1994, equality legislation and CIE bye-laws.

Under the Criminal Justice (Public Order) Act 1994, Section 5(1), it is an offence for any person in a public place to engage in offensive conduct. This is a summary offence, the maximum penalty being a fine.

Section 6(1) makes it an offence for any person in a public place to use or engage in any threatening, abusive or insulting words or behaviour. This is a summary offence and anyone convicted of it may be imprisoned for up to 3 months. In addition a fine may be imposed.

Section 7(1) makes it an offence for any person in a public place to distribute or display any writing, sign or visible representation which is threatening, abusive, insulting or obscene with intent to provoke a breach of the peace. This is a summary offence with a maximum penalty of 3 months imprisonment and a fine.

Harassment is also an issue covered by the equality legislation, defined as any form of unwanted conduct related to any of the discriminatory grounds. It is conduct which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

Some byelaws may also be utilised in respect of charging a person with abusive behaviour. For example in 2003 three people were charged under Byelaw 17 of the CIE Byelaws (Confirmation) Order 1984 which states that 'no person shall at any time while upon the railway use any threatening, abusive, obscene or offensive language or behave in a riotous, disorderly, indecent or offensive manner, or write, draw or affix any abusive, obscene or offensive word, representation, or character upon, or wilfully soil or defile, the railway or any lift or vehicle, or molest or wilfully interfere with the comfort or convenience of any passenger or person in or upon the railway or in any vehicle.'

2.5 Circulation of Offensive Material/Graffiti

The circulation of offensive material can take many forms. Offensive 'stickers', posters, flyers and graffiti can be a particular problem, especially around election times or in neighbourhoods where there is significant ethnic diversity. Local authorities have a key role to play in ensuring that such offensive material is removed as quickly as possible. Larger local authorities, such as Dublin City Council, may have anti graffiti units that can deal with such problems. Offensive material should also be referred to the Gardaí to determine whether it constitutes an offence under the Criminal Justice (Public Order) Act, 1994 (see 2.3) or the Prohibition of Incitement to Hatred Act, 1989 (see 2.5).

2.6 Incitement to Hatred

Incitement may be defined as conduct intended by the accused to persuade, coerce or cause a person or persons to commit an offence. This Act states that 'any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law'. Hatred means hatred against a group of persons in the State on account of their 'race', colour, nationality, religion, ethnic or national origin, membership of the Travelling community or sexual orientation.

Section 2(1) prohibits words or actions likely to incite hatred such as publishing or distributing written material. Section 3(1) outlaws broadcasts likely to incite hatred. Both offences under Section 2 and 3 may be prosecuted summarily in which case the maximum penalty is 6 months imprisonment and a fine or on indictment where the maximum penalty is 2 years imprisonment and a fine. The consent of the Director of Public Prosecutions is required in respect of prosecutions for offences under Section 2 and Section 3.

The Offences Against the State Act 1939 includes a provision to declare illegal and prohibit organisations that promote and incite hatred. In addition, Section 14 of the Employment Equality Act and Section 13 of the Equal Status Act make it an offence for a person (including a public body) to procure or attempt to procure another person to do anything that constitutes racial discrimination.

2.7 Making a Complaint

If you feel you have been subjected to an incident involving racism you should report this to your local Garda station or to the Garda Racial and Intercultural Office. You will be invited to make a statement of complaint regarding the incident. A victim should ask for the name of the Garda investigating their complaint so that they can keep track of the investigation and its outcome. If a victim feels that their complaint is not being dealt

with effectively by their local Garda station, they can contact the Garda Racial and Intercultural Office who will liaise with the local station on their behalf. The Garda Complaints Board can also be contacted. There are Garda ethnic liaison officers located across the country who can also be of assistance in dealing with crime motivated by racism and who can provide a link between community groups and the police in local areas. Victim Support and Irish Tourist Assistance Service can also play a key role in providing support and assistance to victims of crime.

NCCRI Racist Incidents Reporting System

The NCCRI has an independent racist incident monitoring system, which seeks to complement data kept by other agencies, including the Gardaí. If you wish to make a complaint about a racist incident, you can download the NCCRI complaint form from our website www.nccri.ie, or telephone the NCCRI on 01 8588000.

2.8 Racial Incidents (Useful Contacts)

Contact your nearest Garda station or in emergency phone 999

Garda Racial and Intercultural Office

Community Relations Section

Harcourt Square

Dublin 2

Tel: 01 6663150

Fax: 01 6663801

Email: agecard@iol.ie

Website: www.garda.ie

Function: The Garda Racial and Intercultural Office was set up in April 2000 and has responsibility for co-ordinating, monitoring and advising on all aspects of policing in the area of ethnic and cultural diversity. Ethnic liaison officers have been appointed around the country.

NCCRI (National Consultative Committee on Racism and Interculturalism)

Floor 3

Jervis House

Jervis Street

Dublin 2

Tel: 01 8588000

Fax: 01 8727621

E-mail: info@nccri.ie

Website: www.nccri.ie

Function: The NCCRI was established in 1998 as an independent expert body to provide advice and to develop initiatives to combat racism. The NCCRI racist incidents reporting system can be accessed through our website.

Garda Síochána Complaints Board

Block 1, 5th Floor
Irish Life Centre
Lower Abbey Street
Dublin 1

Tel: 01 872 8666

Fax: 01 874 6249

Website: www.gscb.ie

Function: The Garda Síochána is an independent statutory board to deal with complaints against members of the Garda Síochána

Victim Support

Haliday House
32 Arran Quay
Dublin 7

Tel: 01 878 0870

Fax: 01 8780944

Email: info@victimsupport.ie

Website: www.victimsupport.ie

Function: The Victim Support is committed to helping the victims of crime by actively supporting them, identifying their needs and advocating their rights. They have branches nationwide.

Irish Tourist Assistance Service

Block 1, Garda HQ
Harcourt Square
Dublin 2

Tel: 01 478 5295

Fax: 01 478 5187

Email: info@itas.ie

www.itas.ie

Function: This is a specific victim support service for tourists who are victims of crime.

Local Authorities

For a complete list of local authorities log onto the Department of the Environment and Local Government website on www.environs.ie

Office of the Ombudsman

18 Lower Leeson Street

Dublin 2

Tel: (01) 639 5600

Fax: (01) 639 5674

LoCall: 1890 223 030

Email: ombudsman@ombudsman.gov.ie

Website: www.ombudsman.ie

Function: The Ombudsman is a statutory office. The main function is to investigate complaints from members of the public who feel that they have been unfairly treated by certain public services. The services covered are government departments and offices, local authorities, health boards and An Post. Any individual may complain to the Ombudsman but you must have exhausted the existing complaints machinery.

Dublin Bus

Customer Comments Desk

Public Affairs

Dublin Bus

Upper O'Connell Street

Dublin 1

Tel: 01 7033203

Email: info@dublinbus.ie

Website: www.dublinbus.ie

Taxis

Carriage Office

Dublin Castle

Dublin 2

Tel: 01 666 9850

Fax: 01 666 9840

Email: suptt@iol.ie

List of Garda Stations with Ethnic Liason Officers

Dublin MR North

Coolock: 666 4600

Raheny: 666 4300

Whitehall: 666 4500

Dublin MR North Central

Bridewell: 666 82000

Fitzgibbon Street: 666 8400

Store Street: 666 8000

Fitz St: 666 9400

Dublin MR West

Ballyfermot: 666 7200

Cabra: 666.7000

Leixlip: 666 7300

Dublin MR South

Terenure: 666 6400

Crumlin: 666 6200

Tallaght: 666.6000

Rathmines: 666 6700

Dublin MR South Central

Pearse Street: 666 9000

Kevin Street: 666 9400

Kilmainham: 666 9700

Donnybrook: 666 9200

Harcourt Tce: 666 9500

Dublin MR East

Blackrock: 666 5200

Dun Laoghaire: 666 5000

Bray: 666 5300

Galway West

Galway: 091 768000

Roscommon/Galway East

Roscommon: 090 66 38300

Ballinasloe: 090 96 42123

Castlerea: 094 96 20019

Mayo

Ballina: 096 21422

Ballyhaunis: 094 96 30008

Belmullet: 097 81038

Castlebar: 094 90 38200

Claremorris: 094 93 71222

Westport: 098 25555

Claremorris: 094 93 71222

Eastern Region

Carlow/Kildare

Carlow: 059 91 31505

Tullow: 059 91 51222

Kildare: 045 521222

Naas: 045 884300

Athy: 059 8631669

Blessington: 045 865202

Laois/Offaly

Birr: 050920016

Portlaoise: 0502 74100

Tullamore: 0506 21305

Louth/Meath

Drogheda: 041 9874200

Dundalk: 042 9335577

Navan: 046 90 21445

Longford/Westmeath

Longford: 043 46741

Athlone: 090 64 94427

Mullingar: 044 84000

South Eastern Region

Waterford/Kilkenny

Dungarvan: 058 42370

Waterford: 051 305300

Dunmore East: 051 383112

Ferrybank: 051 832570

Tramore: 051 381333

Waterford: 051 305300

Kilkenny: 056 77 22222

Thomastown: 056 77 24296

Wexford

Enniscorthy: 054 33534

Gorey: 055 21222

Wicklow: 0404 67107

New Ross: 051 421204

Wexford: 053 65200

Tipperary

Clonmel: 052 22222

Nenagh: 06731333

Roscrea: 0505 21700

Thurles: 0504 25100

Tipperary: 062 51212

Cahir: 052 41222

Southern Region

Cork City

Anglesea St: 021 4522000

Gurrabraher: 021 4395540

Ballincollig: 021 4871222

Mayfield: 021 4558510

Togher: 021 4962611

Mc Curtain St: 021 4503337

Cork County

Bandon: 023 52200

Clonakilty: 023 33202

Glengarriff: 027 63002

Kanturk: 029 50002

Crookstown: 021 7336002

Tralee

Tralee: 066 7122022

Dingle: 066 9151522

Killarney

Killarney: 064 31222

Castleisland: 066 7141204

Kenmare: 064 41177

Listowel: 068 21000

Ballybunion: 068 27104

Cahersiveen

Cahersiveen: 066 9472111

Castlemaine: 066 9767317

Sneem: 064 45111

Limerick City

Henry Street: 061 212400

Mayorstone: 061 456980

Roxboro Road: 061 214340

Mary Street: 061 415342

Limerick County

Ardnacrusha: 061 345136

Clare

Ennis: 065 6848100

Shannon: 061 361212

Lisdoonvarna: 065 7074222

Kilrush: 065 9051017

Tulla: 065 6835103

Northern Region

Cavan/Monaghan

Bailieboro: 042 9665102

Cavan: 049 4331300

Carrickmacross: 042 9661222

Monaghan: 047 82222

Belturbet: 049 952212

Castleblayney: 042 9740668

Sligo/Leitrim

Ballymote: 071 91 83333

Sligo: 071 91 57000

CarrickonShannon 071 96 20021

Ballinamore: 071 96 44002

Donegal

Bundoran: 071 98 41203

Ballyshannon: 071 98 51102

Buncrana: 074 93 61555

Glenties: 074 95 51108

Letterkenny: 074 91 67100

Milford: 074 91 53114

Part 3: Media and the Internet

The media and the internet is often a difficult and complex area in respect of making a complaint or seeking redress racism. At stake is both the issue of freedom of speech on the one hand and the right to be protected against racism on the other. Where the legislation usually draws the line is whether the broadcast/article/webpage contravenes the Incitement to Hatred Act 1989. To date there have been no successful convictions under this Act in respect of the media and the internet. There are also other complaint and monitoring bodies depending on the particular media concerned that might be usefully invoked for example under 'the impartiality in news' or the 'taste and decency' categories defined by the Broadcasting Complaints Commission. This part of the handbook is structured as follows:

3.1 The Broadcast Media (television and radio)

3.2 Newspapers

3.3 Internet, Email and Mobile Phones

3.4 Advertising

3.5 Making a complaint

3.6 Useful addresses

3.1 The Broadcast Media

The main media regulatory and complaints authorities in respect of television and radio are as follows:

- **Broadcasting Complaints Commission (BCC)**
- **Radio Telefis Eireann (RTÉ)**

The Broadcasting Complaints Commission (BCC) is an independent statutory body. Its task is to consider and adjudicate upon complaints about material broadcast, both programmes and advertisements, including:

- **Impartiality in news and current affairs**
- **Taste and decency**
- **Law and order**
- **Privacy of an individual**
- **Slander**
- **Published matter in relation to RTÉ and Ministerial prohibitions**
- **Codes of standards, practice and prohibition in advertising, sponsorship and other forms of commercial promotion in broadcasting services**
- **Children's advertising code.**

Any viewer or listener can refer a complaint to the BCC if they are not happy about broadcasting content on an Irish broadcasting service under any of the above categories.

The role of the BCI covers all licensed Irish Independent and public radio and television broadcasters, be they on a local, a regional or a national basis.

A list of the independent broadcasting services licensed by the Broadcasting Commission of Ireland can be found at www.bci.ie. The public broadcasters licensed within the Republic of Ireland are: RTÉ Radio 1, 2FM, Lyric FM, RnG, RTÉ 1, RTE 2 and TG4.

RTE

RTE have a complaints process whereby all complaints received in writing or by-email shall be replied to by an appropriate member of the production team within 20 working days.

Complainants shall be informed that, if they are not satisfied with the reply they receive, there is a review process available to them within RTÉ. The review is carried out by an Editorial Manager, senior to the member of staff who replied to the complaint in the first instance.

Members of the public who are not satisfied with the reply they receive should write to: the RTÉ Complaints Review Section (see page 35).

3.2 Newspapers

There is no independent complaints machinery as yet for newspapers, although this will change with the establishment of an independent Press Council (currently being planned).

The role of the Press Council may include the preparation of a Press Code of Conduct and the investigation of complaints concerning alleged breaches of that Code. Until the Defamation Bill (forthcoming in 2006) is published, the details of how a Press Council and Code of Conduct will be developed, remain unclear.

Complaints can also be addressed directly to the newspaper itself. Some papers have a policy of correcting mistakes if asked or printing letters of complaint, and some have a readers' 'watch-dog' to whom you may complain.

The main trade union for those involved in the media is the National Union of Journalists (NUJ), although some staff, particularly those involved in media production, are in other trade unions. Part of its role is to provide guidance to its members and the NUJ has published non-binding 'Guidelines on Race Reporting'. All NUJ members are bound by the NUJ Code of Conduct.

3.3 The Internet, Email and Mobile Phones

Ensuring effective protection against incitement to hatred requires tackling the growing phenomenon of racism on the Internet or 'cybercrime', crime generated through computers. There has been an emergence of racist websites in Ireland in recent years containing material that would have been prohibited if printed and distributed in Ireland and which can provide a permanent form of incitement if left unchallenged.

If you suspect that a website contains racist content, you can report it to the Internet Public Hotline www.hotline.ie.

If you receive an email of a racist nature you can also report it to the hotline or report it to the internet company who hosts the email account and request that they delete the account. Most internet companies have codes of conduct in relation to the use of email accounts which stipulate that the account cannot be used to transmit emails of a racist nature. These codes of conduct are available on the server's webpage. Depending on the server company and their policy, the NCCRI has found this course of action to be a very useful tool in preventing abusive emails from a particular address. There are also practical measures you can take to block unwanted e-mail sources through the software on your computer.

Mobile phone companies based in Ireland also have complaints procedures and policies in place if you have for example been the victim of abusive text messages. Again, there is technology to block messages from a particular source and you should contact your mobile phone company for more details.

3.4 Advertising

The Advertising Standards Authority of Ireland is a voluntary self-regulatory body of advertising practitioners, which deals with complaints about standards of advertising. There are voluntary codes of standards and you may complain about breaches of those standards. These codes are on Advertising Standards and on Sales Promotion Practice.

3.5 Making a Complaint

The list of bodies to which complaints can be made are listed in the next section. It is increasingly possible to make complaints online, which can often speed up the process. As with all complaints it is important to keep good records of when and where the complaint took place. There are often time limitations that prevent complaints being made after a certain date, so complaints should be made as soon as possible.

3.6 The Media and the Internet: Useful Addresses

Radio Telefís Éireann (RTÉ)

Donnybrook

Dublin 4

Tel: 01 208 3111

Fax: 01 208 3080

Website: www.rte.ie

Function: RTÉ operates under a Public Service Broadcasting Charter. It has a formal complaints procedure. All programmes broadcast are subject to RTÉ Programme-Makers' Guidelines and you may complain about any breach of these guidelines. If you are unhappy with the response to your complaint, you may look for a review (see Complaints Review below).

Complaints Review

c/o The Head of Public Affairs Policy

RTÉ, Donnybrook

Dublin 4

Tel: 01 878 0870

Fax: 01 878 09440

Email: complaints.review@rte.ie

You may also complain to the Broadcasting Complaints Commission about some aspects of RTÉ broadcasting.

Broadcasting Complaints Commission

2-5 Warrington Place

Dublin 2

Tel: 01 676 1097

Fax: 01 676 0948

Email: complaints@bcc.ie / info@bcc.ie

Website: www.bcc.ie

Function: The BCC's role is to consider and adjudicate upon complaints about material broadcast (both press and advertisements) in relation to impartiality in news and current affairs, taste and decency, law and order, privacy of individuals, and so forth. The body deals with complaints concerning radio and television broadcasters licensed in Ireland. Complaint forms are available and you should complain within 30 days of the broadcast.

National Newspapers of Ireland

Clyde Lodge

15 Clyde Road

Dublin 4

Tel: 01 6689099

Fax: 01 6689872

Email: info@nni.ie

Website www.nni.ie

Function: The National Newspapers of Ireland is the representative body for the main daily and weekly national newspapers.

Advertising Standards Authority for Ireland

IPC House

35/39 Shelbourne Road

Ballsbridge

Dublin 4

Tel: 01 660 8766

Fax: 01 660 8113

Email: info@asai.ie

Website: www.asai.ie

Function: The ASAI is a voluntary self-regulatory body of advertising practitioners, which deals with complaints about standards of advertising. There are voluntary codes of standards and you may complain about breaches of those standards. These codes are on Advertising Standards and on Sales Promotion Practice.

Garda Racial and Intercultural Office

Community Relations Section

Harcourt Square

Dublin 2

Tel: 01 6663150

Fax: 01 6663801

Email: agecard@iol.ie

Website: www.garda.ie

Function: The Office has a list of ethnic liaison officers around the country.

National Union of Journalists

Head Office

9th Floor

Liberty Hall

Dublin 1

Tel: 01 805 3258

Fax: 01 8749250

Email: liberty.hall@nuj.ie

Website: www.nuj.org.uk

Function: The NUJ monitors the NUJ Code of Conduct for its members

Local Authorities

Internet Advisory Board (IAB)

Department of Justice, Equality and Law Reform

Old Faculty Building

Shelbourne Road

Dublin 4

Tel: 01 6028661

Fax: 01 6028634

Email: iabsec@justice.ie

Website: www.iab.ie

Function: The IAB is not a statutory body. It provides assistance to the internet industry in producing and developing codes of practice, undertakes research and reviews work of the public hotline for reporting on illegal and harmful use of the internet.

Internet Public Hotline

ISPAl and Hotline Offices

Unit 24

Sandyford Office Park

Dublin 18.

Tel. 01 2945280

Fax: 01 2945282

Website: www.hotline.ie

Email: report@ hotline.ie

LoCall: 1890 610 710 (this is always an answering machine)

Fax: 1890 520 720

Function: The Internet hotline was launched in November 1999 to provide an anonymous reporting service on websites and emails. It is funded and operated by the Internet Services Providers Association of Ireland. The primary focus of the hotline is reporting on child pornography but other illegal material may be reported that one may suspect to be illegal such as racist websites and emails.

Part 4: Other Useful Contacts

NCCRI Racist Incidents Reporting Procedure

NCCRI

3rd Floor

Jervis House

Jervis Street

Dublin 1

Tel: 01 8588000

Fax: 01 8727621

Email: info@nccri.ie

Website: www.nccri.ie

Function: The NCCRI compiles voluntary reporting system for recording incidents related to racism in Ireland. Incidents are analysed and compiled into six monthly reports which are then forwarded to the relevant body with statutory responsibility for responding to such incidents.

Comhairle

7th Floor

Hume House

Ballsbridge

Dublin 4

Tel: 01 6059000

Fax: 01 6059099

Function: Comhairle is the national agency responsible for the provision of information, advice and advocacy on social services in Ireland.

Citizen Information Call Centre: 1890 777 121

Citizens Information Database: www.cidb.ie

Email: comhairle@comhairle.ie

Website: www.comhairle.ie

Free Legal Advice Centres (FLAC)

13 Lower Dorset Street

Dublin 1

Tel: 01 874 5690

Fax: 01 874 5320

Email: info@flac.ie

Website: www.flac.ie

Function: FLAC is a non-governmental organisation which campaigns for full and equal access to justice for all and which promotes and operates a range of services to meet the legal needs of those living in poverty.

Legal Aid Board

Quay Street

Cahirciveen

Co Kerry

Tel. 066 947 1000

Fax: 066 9471035

Email: legalaidthboard@eircom.net

Website: www.legalaidthboard.ie

Function: The Legal Aid Board provides legal aid and advice in civil cases on a means-tested basis through 30 full-time law centres as well as several part-time legal aid clinics.

Irish Human Rights Commission

4th Floor,

Jervis House

Jervis Street

Dublin 1

Tel: 01 858 9601

Fax: 01 858 9609

Email: info@ihrc.ie

Website: www.ihrc.ie

Function: The IHRC's broad aim is to ensure that the human rights of all people in the State are fully realised and protected, in law, policy and practice. It has a wide range of powers and functions including taking legal proceedings to vindicate human rights in the State or provide legal assistance to persons in this regard. It can conduct enquiries at the request of an individual and take legal proceedings to vindicate human rights or provide legal assistance to people to do this.

Refugee Information Service (RIS)

27 Annamoe Terrace

North Circular Road

Dublin 7

Tel: 01 838 2740

Fax: 01 838 2480

Email: info@ris.ie

Website: www.ris.ie

Function: The RIS provides a free, confidential and independent service of information, advocacy and referral to refugees and asylum seekers.

Irish Business and Employers Confederation (IBEC)

IBEC Head Office

Confederation House

84/86 Lower Baggot Street

Dublin 2

Tel: 01 605 1500

Fax: 01 638 1500

Email: info@ibec.ie

Website: www.ibec.ie

Function: IBEC provides a wide range of services to member businesses and organisations from all sectors and is the umbrella body for Ireland's sectoral groups and associations. It is the national voice of Irish business and employers.

Irish Refugee Council

88 Capel Street

Dublin 1

Tel: 01 8730042

Fax: 01 873 0088

Email: refugee@iol.ie

Website: www.irishrefugeecouncil.ie

Function: The IRC is a national non-governmental organisation whose work includes policy, research, legal, networking and information components, while the Ennis sub-office deals with the broad range of issues affecting the local refugee community.

Pavee Point Travellers Centre

North Great Charles Street

Dublin 1

Tel: 01 8780255

Fax: 01 8742626

Email: pavee@iol.ie

Website: www.paveepoint.ie

Function: Pavee Point is a partnership of Irish Travellers and settled people working together to improve the lives of Irish Travellers through working towards social justice, solidarity, socio-economic development and human rights.

Irish Traveller Movement Legal Unit

4-5 Eustace Street

Dublin 2

Tel: 00 353 1 679 6577

Fax: 00 353 1 679 6578

Email: itmtrav@indigo.ie

Website: www.itmtrav.com

Function: The Legal Unit of the ITM targets legal services and legal professionals to ensure Travellers have access to these services and achieve equality before the law.

Amnesty International Irish Section

48 Fleet Street

Dublin 2

Tel: 01 6776361

Fax: 01 6776392

Email: info@amnesty.ie

Website: www.amnesty.ie

Function: Amnesty International Irish Section promotes and defend human rights in Ireland and around the world.

Irish Council for Civil Liberties

40-41 Lower Dominick Street

Dublin 1

Tel: 01 8783136

Fax: 01 8783109

Email: iccl@iol.ie

Website: www.iccl.ie

Function: The Irish Council for Civil Liberties (An Chomhairle um Chearta Daonna) is an independent non-governmental organisation that works to promote and defend human rights and civil liberties.

Useful Publications / Resources

An Garda Síochána: Your Police Service in Intercultural Ireland. Available from Garda Racial and Intercultural Unit.

Department of Enterprise, Trade and Employment (2004) Guide to Labour Law.

Comhairle: Employment Rights Explained. Available from Comhairle or any Citizens Information Centre.

Comhairle (2004): Where to Complain. Available from Comhairle or any Citizens Information Centre.

Department of Justice, Equality and Law Reform (2004) Consolidated Text of the Equal Status Acts 2000 to 2004, Information document not a legal text.

Department of Justice, Equality and Law Reform (2005): Planning for Diversity: The National Action Plan Against Racism. Available at www.justice.ie

Equality Authority: The Equal Status Acts 2000 to 2004. Available at www.equality.ie

Equality Authority: The Employment Equality Acts 1998 to 2004. Available at www.equality.ie

The Migrant Rights Centre of Ireland: Know Your Rights, Information for Migrant Workers in Ireland. Available at www.mrci.ie/publication/

NCCRI: Reported Incidents Relating to Racism. Available at www.nccri.ie

Equality Authority: Code of Practice on Sexual Harassment and Harassment at Work (S.I. No. 78 of 2002). Available at www.equality.ie

The Housing Unit (2003) Housing Refugees: Good Practice in Housing Management, Guidelines for Local Authorities.

Traveller Legal Unit (2004), Legal Pack. Available at www.itmtrav.ie

Equality Authority: Work Tools Directory. Available at www.equality.ie

Department of Justice, Equality and Law Reform (1998): Illegal and Harmful Use of the Internet.

Department of the Environment, Heritage and Local Government (2003), Preventing and Combating Anti-Social Behaviour. Available at www.enviro.ni

