

Building a Human
Rights Future



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Message from the Co-Chairs

We're happy to be able to report to you that 2014 has been a very successful year for the ICCL.

As you will see from the accounts at the end of this annual report, for the first time in the organisation's history, the ICCL's income (and expenditure) passed €1 million per annum, representing a ten-fold budgetary increase achieved over the last decade. Securing a sustainable funding income of this nature is of vital importance because, as you know, the ICCL does not accept Government funds for any of its core work. For almost forty years, our independence has been guaranteed by the generous contributions of our members and supporters, together with a growing number of trusts, foundations and international organisations such as the European Commission.

During 2014, the ICCL maintained its focus on programmatic expenditure rather than building a much larger staff team. As you browse this annual report, I think that you will share our appreciation for the fact that work of this volume and quality is delivered by such a small core staff team, to whom we again extend our warmest thanks.

Our Board has continued to develop and now contains a good mix of colleagues with legal, policy, business and financial

acumen, fully committed to our governance and oversight role. We have welcomed a new Board member, Deirdre Miller, who has both fundraising and legal experience. Dr Elaine Dewhurst left the Board during 2014 to pursue her distinguished academic career abroad and we extend our sincere thanks to her for her thoughtful and considered contributions to our work.

As we have mentioned in previous years, there will undoubtedly be financial challenges ahead for the Council. The Atlantic Philanthropies, which has been a long-term source of core funding for the ICCL, is winding down its activities and, in all probability, will make its last payment to the Council in 2017. Board members and staff have been preparing for this eventuality for many years, and our fundraising base is now more diverse than it has ever been, including important new income streams from the European Commission.

In last year's annual report, we mentioned that we had secured a capital investment pledge to support the purchase of a new headquarters for the ICCL and we are pleased to confirm that those funds have now been made available. This presents the exciting prospect that, with your contributions supplementing our capital fund, the ICCL could enter its fifth decade in permanent



rent-free premises. Please feel free to contact us if you would like to offer some additional support to the ICCL's work by donating to our capital fund.

Together with the ICCL's staff, we have begun preparations for the ICCL's 40th anniversary, which falls in the significant commemorative year of 2016. We will be reaching out to you, our members and supporters, to become involved in a variety of events to mark our four decades of independent human rights work. The Council is privileged to have a significant number of members who have remained loyal to the organisation since its foundation and we are particularly keen to re-connect with you as we approach this landmark anniversary.

There are many ways to become involved in the ICCL's work and this annual report documents the ongoing development of our awareness and outreach work.

The Annual Film Awards have gone from strength to strength. The aim of the Human Rights Film Awards is to provide filmmakers and those working in human rights with an opportunity to contribute to human rights discourse internationally, grappling with issues which affect some of the most vulnerable members of society through the medium of film. Over the past six years, the competition has produced shortlisted films of



outstanding quality which cast light on a range of human rights issues in new and creative ways. We anticipate that, in future, the competition will evolve into a full-scale human rights film festival.

Our Know Your Rights project continues to attract significant interest and has now been "scaled up" to EU level, with the production of *JUSTICIA* network rights guides in a variety of languages. The ICCL Know Your Rights public information project is designed to inform people in clear and accessible language about their rights under various key areas of the law in Ireland. The sixth installment in the series, *The Rights of Children and Young People* was launched on 26 November 2014, and was produced in partnership with the Children's Rights Alliance.

And our Youthreach initiative, which engages early school-leavers in creative ways, has reached more students than ever.

All of this and more is documented in this annual report, which we hope you will find informative, interesting and inspiring.

As ever, we welcome your views on our work and hope to see you soon at an ICCL event.

Siobhán Cummiskey (Co-Chair - Policy)
Niall Mulligan (Co-Chair - Operations)

Director's Foreword

For human rights advocates, 2014 was a challenging and, ultimately, hugely-encouraging year.

Policing and human rights has been a core area of ICCL work since the organisation was founded. 2014 saw the biggest upheaval in policing accountability since the Morris Tribunal reported on Garda malpractice, almost a decade ago. From the beginning of the year, wave after wave of revelations produced a clear pattern of response from official sources. Initial denials were followed by lengthy and (given the Government's majority) often pointless Dáil debates. Lightweight reviews were established with mandates designed to preclude them from finding the facts. Eventually, public and political pressure produced a spate of high-level "retirements" / resignations, a new Minister for Justice and Equality and ostensibly impressive commitments to reform.

Throughout this period, the ICCL was a principled voice at the forefront of public discourse. Our evidence-based approach led to an invitation to appear before the Oireachtas Joint Committee on Justice, Equality & Defence, at which we recommended wholesale reform of our policing accountability structures. Steps are now being taken to strengthen the powers of the Garda

Síochána Ombudsman Commission (GSOC) and to create an independent Policing Authority. The ICCL will closely monitor the implementation in practice of these measures.

Summer 2014 saw the ICCL lead a delegation of Irish and international civil society organisations to attend the examination of Ireland by the UN Human Rights Committee. We placed special emphasis on the need for more effective, comprehensive and independent mechanisms for truth finding and redress for the victims of agents motivated by "religious ethos" including: victims of the Magdalene Laundries; survivors of involuntary and unnecessary surgical procedures (symphysiotomy and pubiotomy) during childbirth; victims of mistreatment and neglect in so-called "mother and baby" residential care and adoption facilities; persons discriminated against under employment law on the grounds that their status (civil status, family status, sexual orientation or gender) contravenes the religious "ethos" of their employer.

Our concerns resonated strongly with the UN Committee, whose Chair Sir Nigel Rodley commented: "the Magdalene Laundries, the mother and baby Homes, the child abuse, the symphysiotomy – it's quite a collection and it's a

collection that has carried on [for a] period that it's hard to imagine any state party tolerating". His Committee produced tough recommendations on the ongoing need for justice and redress that will be followed up by the United Nations, with further input from the ICCL and others, in mid-2015.

Abortion was also on the agenda and the UN Human Rights Committee was explicit that it is time for Ireland to revise its antediluvian legal framework – including its Constitution – in order to bring it into line with international human rights standards. In September 2014, I was proud to speak at the first annual conference of the new Coalition to Repeal the Eight Amendment to the Constitution, an activity to which the ICCL will remain committed all the way to a referendum that removes this misogynistic provision from our basic law.

Some of the most profound human rights reforms in Ireland have been driven by European standards and, throughout 2014, the ICCL continued to lead the *JUSTICIA* European Rights Network, bringing together 19 like-minded organisations from 17 countries across the European Union. *JUSTICIA* works trans-nationally to deliver the full implementation of new EU law on fair trial rights and the human rights of victims. Networked activity of this



nature will be an increasingly important component of the ICCL's future work.

The highlight of the year was undoubtedly the establishment of Yes Equality 2015 – a campaign initiative by the ICCL, together with its partners the Gay and Lesbian Equality Network (GLEN) and Marriage Equality. In November 2014, we launched a voter registration drive designed to maximise participation in the marriage equality referendum scheduled for spring 2015. Over the course of the three-week initiative, tens of thousands of new first-time voters registered to vote.

Blending iconic branding with political savvy, legal knowledge and grassroots connections, Yes Equality 2015 will transform referendum campaigning and is set to garner unprecedented levels of support for the "civil rights issue of a generation". 2015 will see this ICCL/GLEN/Marriage Equality campaign deliver full marriage equality for same sex couples.

All in all, it was a remarkable year and, as you will see in the pages of this year's annual report, one during which we inched ever closer to the ICCL's goal of an Ireland in which everyone's human rights are protected and respected.

Mark Kelly, Executive Director

Our People

The 2014 Executive Board
The ICCL is governed by an Executive Board drawn from academia, business and the law.



Niall Mulligan (Co-Chair – Operations)



Siobhán Cummiskey (Co-Chair – Policy)



Alan D.P. Brady



Deirdre Miller



Frances Feeney



Claire Hamilton



Jonah Mudehwe



Clare Naughton

The ICCL Staff

The ICCL's professional staff work across three teams: Research and Policy, Communications and Campaigns, and Organisational Development.



Éabha Harper-McKeever and Lisa Walsh joined the ICCL team in the summer of 2014 for the ICCL Human Rights Film Awards internship.



Victoria Apostol joined the ICCL policy team in spring 2014 as part of the OSJI Fellowship Programme, working on our UN Human Rights Council Legacy Project.



Pia Janning joined the ICCL team in November 2014 as Project Officer (Justice).



Right: ICCL Staff 2014 (clockwise from top-left): Walter Jayawardene, Communications Manager; Mark Kelly, Director; Grace Mulvey, Research and Policy Officer (Justice); Stephen O'Hare, Research and Policy Officer (Equality); Karen Ciesielski, Head of External Development; Joanne Garvey, Administrator; Suzanne Handley, Organisational Development Manager; Deirdre Duffy, Senior Research and Policy Programme Manager

Fostering a Human Rights Culture

Ireland and the International Covenant on Civil and Political Rights: casting an international focus on Ireland's human rights record

Coordinating the civil society response

In July 2014, the Irish Council for Civil Liberties led a delegation of Irish and international civil society organisations (CSOs) to attend the examination of Ireland's periodic report under the International Covenant on Civil and Political Rights (ICCPR) by the UN Human Rights Committee.

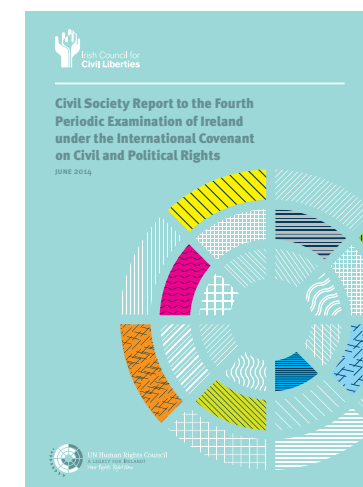


ICCL staff member Stephen O'Hare at the UN's examination of Ireland in Geneva

The examination took place on 14 and 15 July 2014 at the headquarters of the Human Rights Committee in the Palais Wilson, Geneva. As well as leading a delegation to Geneva, the ICCL also hosted a live webcast of the proceedings at home in Dublin.

During the session, Committee members had an opportunity to hear updated progress reports from the Irish Government delegation, led by Minister for Justice, Ms Frances Fitzgerald TD, and ask searching questions concerning the State's current human rights record.

The ICCL was joined by a large number of civil society groups and academics at the session to observe proceedings first-hand and to brief members of the Committee, both formally and informally, on many of the issues identified by the Committee as cause for concern. Prior to the hearings the ICCL-led Civil Society Steering Group on ICCPR submitted its detailed 181 page Shadow Report to the Committee outlining Ireland's progress (or lack thereof) on many issues concerning civil and political rights since Ireland's last reporting period in 2008.



ICCL Civil Society Report to the Fourth Periodic Examination of Ireland under the international Covenant on Civil and Political Rights

Dominant ideology – institutional belief

A significant number of the issues brought to the attention of Committee members centred on current or past treatment of women and children in Ireland’s institutional settings, including in relation to Magdalene laundries, so called ‘Mother and Baby homes’ and the myriad of institutional and clerical abuse scandals. Information was also provided to Committee members on the unjust, ideologically-driven, symphysiotomy childbirth interventions undertaken in privately-owned or State-run hospitals.

The Committee also heard of the continuing violations caused by Ireland’s restrictive abortion regime. This included a contribution from the Terminations for Medical Reasons group, who gave a detailed insight into how pregnant women who discover they are carrying a foetus with a fatal abnormality incompatible with life outside the womb are forced to travel if they wish to seek a lawful abortion. Representatives from the medical professions and service providers also highlighted the extremely restrictive nature of the newly-enacted Protection of Life during Pregnancy Act 2013 and

the fact that no provision has yet been made for access to lawful abortion in cases of rape or incest despite previous recommendations from the Committee.

Other issues raised with the Committee were the lack of progress on Travellers’ rights including recognition of Traveller ethnicity; the urgent need to implement legislative changes to enable ratification of the International Covenant on the Rights of Persons with a Disability (ICRPD) and Optional Protocol to the Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (OPCAT); the lack of provision for non-denominational education; the continuing obligation on members of the judiciary to swear religious oaths in order to take office; the rights of migrants and asylum seekers; lesbian, gay, bisexual and transgender rights including in relation to legal recognition for transgender persons and the need to reform employment equality law to prohibit unfair discrimination against LGBT persons; ending of the use of the Special Criminal Court; the need to prohibit corporal punishment of children; issues in relation to domestic violence and trafficking of persons; poor standards in detention facilities,

detention of minors; the ongoing use of imprisonment for failure to fulfil a contractual obligation; and the need for a robust monitoring and implementation framework for human rights law in Ireland.

Having heard harrowing testimony from members of the Survivors of Symphysiotomy group, members of the Terminations for Medical Reasons group, medical practitioners and service providers operating under Ireland’s restrictive abortion regime, and from representatives who highlighted ongoing issues in relation to mother and baby homes and other related abuse scandals, the Chairperson of the Human Rights Committee, Sir Nigel Rodley, was moved to remark at the conclusion of the session “[T]he Magdalene Laundries, the ‘Mother and Baby’ homes, the child abuse, the symphysiotomy – it’s quite a collection...and all of the them are not disconnected from the institutional belief system that has predominated in the State Party and which occasionally has sought to dominate the State.”



The ICCL's Joanne Garvey and Stephen O'Hare at Palais Wilson in Geneva, 15 July 2014

The ICCL-led delegation to Geneva

Civil society has a critical role to play as outside observers and commentators in the monitoring of the implementation of the Covenant in States Parties and in 2014, the ICCL led the largest delegation of Irish civil society ever to attend the hearings.

Led by Stephen O'Hare and Joanne Garvey of the ICCL who coordinated attendance at the hearing, the delegation was made up of representatives from the ICCL-led Civil Society Steering Group on ICCPR* as well as representatives from national and international NGOs.

CSOs and experts who participated in the session included:

- Irish Council for Civil Liberties*
- Survivors of Symphysiotomy*
- Immigrant Council of Ireland*
- Irish Traveller Movement*
- Irish Family Planning Association*
- Irish Penal Reform Trust*
- Inclusion Ireland*
- Doctors for Choice
- Abortion Rights Campaign
- Pavee Point
- Atheist Alliance International (Atheist Ireland)
- Dr Alison Mawhinney, Bangor University
- Ms Mairead Enright, Kent University and Human Rights in Ireland blog
- Terminations for Medical Reasons
- Centre for Reproductive Rights



A live webcast of Ireland's ICCPR examination at the 'Human Rights Green Room' in Dublin

Dublin civil society gathers in 'Human Rights Green Room' to follow ICCPR hearing

While the ICCL's policy team led a delegation to Geneva, the ICCL invited NGO and civil society groups to view

Ireland's ICCPR examination on 14 July 2014 via live webcast in our Dublin-based 'Human Rights Green Room'.

The Green Room provided a focal point for NGOs and civil society groups to follow the proceedings in Switzerland, and provide live reaction and analysis to journalists, stakeholders, and social media. The event ensured a sharp focus on the process in print and broadcast media, including extensive follow-up coverage of the hearing on 15 June, when the UN Committee Chair Sir Nigel Rodley made his excoriating concluding remarks on Ireland's human rights record.

Edel Quinn of the Children's Rights Alliance, Michael Farrell of FLAC, and Heydi Foster-Breslin of the Irish Human Rights and Equality Commission chat at the 'Human Rights Green Room'



The UN Human Rights Committee's Concluding Observations

The UN Human Rights Committee published its “Concluding Observations” on Ireland on 24 July 2014. The Committee’s headline recommendations reflected the majority of concerns communicated to them by the ICCL-led delegation in Geneva. These recommendations form a clear list of areas where Ireland, if it is to meet its human rights obligations, needs to engage in immediate and meaningful reform.

Abortion

Ireland should “revise its legislation on abortion, including its Constitution, to provide for additional exceptions in cases of rape, incest, serious risks to the health of the mother, or fatal foetal abnormality”.

Institutional abuse of women and children

Ireland should “conduct prompt, independent and thorough investigation into all allegations of abuse in Magdalene Laundries, children’s institutions and mother and baby homes, prosecute and punish the perpetrators... and

ensure that all victims obtain an effective remedy.”

Symphysiotomy

Ireland should “initiate a prompt, independent and thorough investigation into cases of symphysiotomy, prosecute and punish the perpetrators... and provide an effective remedy to the survivors of symphysiotomy for the damage sustained, including fair and adequate compensation and rehabilitation, on an individualized basis.”

On the publication of the Concluding Observations, the ICCL called for a full Oireachtas debate on the observations, as well as the creation of an effective national implementation mechanism to ensure that the UN’s clear recommendations are implemented in full.



Aodhán Ó Riordáin TD addresses NGO press conference, 24 July 2014

ICCL staff and representatives from across Irish civil society pictured on 24 July at the joint press conference on the ICCPR Concluding Observations



ICCL hosts coordinated NGO response to Concluding Observations

On 24 July 2014 the ICCL held a joint NGO press conference in Dublin to coordinate civil society reaction to the UN Human Rights Committee’s “Concluding Observations” on Ireland.

The conference was opened by new Minister of State for Equality, New Communities and Culture Aodhán Ó Riordáin TD, and was attended by

representatives of ICCL, Survivors of Symphysiotomy, The Irish Penal Reform Trust, the Immigrant Council of Ireland, Transgender Equality Network, Educate Together and Pavee Point, who provided detailed reaction and analysis to the media. The Minister gave an undertaking to take the Concluding Observations “to the heart of government”. The Concluding Observations, and the ICCL’s call for an urgent Dáil debate on their implications, received wide coverage across the print and broadcast media.

Ireland's human rights legacy?

Ireland on the UN Human Rights Council, and its second Universal Periodic Review in 2016

The process leading up to Ireland's second Universal Periodic Review at the UN Human Rights Council in spring 2016 began in earnest in 2014. This review will come at a crucial time, falling just after Ireland completes its three-year tenure on the UN Human Rights Council.

The ICCL's Legacy project was set up in 2013 to track Ireland's domestic implementation of human rights standards as it holds this central human rights leadership role at the international level.



Deirdre Duffy of the ICCL leads discussion on the right to health at the ICCL's UPR consultation, February 2014

In February 2014, the Legacy project carried out its first major public consultation. Over 60 civil society organisations and other interested parties came together for a World Café style interactive event in Dublin. Discussion was organised across 11 themes covering a breadth of interrelated human rights and



equality issues from the rights of older people to rights of migrants and reform of the national human rights and equality infrastructure.

Participants provided expert analysis on the state of play regarding how Ireland was meeting its commitments under the 2012 UPR Recommendations and under other international human rights treaties. The meeting was also addressed via Skype, by June Ray, Chief of the Civil Society Unit of the Office of the High Commissioner for Human Rights, who commended the ICCL's leadership in this area.

The evidence and information gathered at the event fed into the ICCL's Written Statement to the UN Human Rights Council on Ireland's Interim UPR Report, which was submitted on 25 February 2014.

This statement formed part of the official documentation of the 25th Session of the UN Human Rights Council which was presented with Ireland's Interim UPR Report on 21 March 2014.

Representatives from GLEN and TENI discuss LGBT rights at the ICCL's UPR consultation, February 2014



To mark the occasion, the ICCL prepared a short multi-media piece on the Storehouse platform, assessing Ireland's journey in meeting the UPR recommendations. The piece included testimony from the Irish Traveller Movement and Inclusion Ireland.

To follow the work of our Legacy project, log on to www.rightsnow.ie



Human Rights Council 19th session
Photo: Jean-Marc Ferré, United Nations

Promoting access to justice for survivors of symphysiotomy

Throughout a 60-year period, from the mid-1940s onwards, a significant number of women in Ireland were subjected to surgical procedures known as symphysiotomy and pubiotomy before, during and after childbirth. The issue has been highlighted by the campaign group, Survivors of Symphysiotomy, which works on behalf of some 300 survivors from an estimated 1,500 women who underwent these operations in Irish maternity hospitals (from 1941 to as recently as 2005), often leading to lifelong, deleterious side effects.

Symphysiotomy and pubiotomy involve sundering the pelvis at either the symphysis joint (symphysiotomy) or the pubic bone (pubiotomy) to enable vaginal birth in obstructed labour. The surgeries were prevalent in a number of hospitals in Ireland, particularly in Catholic teaching hospitals, mainly from the 1940s to the 1980s, when Caesarean section was the established treatment for difficult births. These operations often led to life-altering side effects, ranging from chronic pain and incontinence to significant disability and mental suffering. Patient consent was reportedly never sought. Many women were unaware that they had been subjected to such procedures and only made the discovery decades later, from information provided in the media.

In 2014 the ICCL worked closely with Survivors of Symphysiotomy to campaign for the recognition that the human rights of these women had been violated and to secure an effective remedy including by way of compensation.

The issue was highlighted at Ireland’s Fourth Periodic Examination under the International Covenant on Civil and Political Rights (ICCPR) in July 2014, which culminated in very robust recommendations on the issue of symphysiotomy including that the State initiate a prompt, independent and thorough investigation into the practice and, where possible, to prosecute those responsible for wrongdoing. The committee also recommended that women should be provided with adequate redress (compensation), including the right to challenge awards through the courts.

In his damning assessment of the practice of symphysiotomy, as one among many human rights abuses materially affecting women highlighted during Ireland’s examination, the Chairperson of the Human Rights Committee, Sir Nigel Rodley noted that the practice was inconsistent with Article 7 of the Convention which prohibits torture, cruel, inhuman and degrading treatment or punishment including in relation to medical experimentation.

Sinead O'Donnell of TV3 interviews symphysiotomy survivor Matilda Behan at the launch of the ICCL's civil society ICCPR report in Buswell's Hotel in Dublin on 13 June 2014. The report included symphysiotomy survivors' testimony





Mark Kelly of ICCL (centre) with Marie O'Connor of Survivors of Symphysiotomy and Hilka Becker of the Immigrant Council of Ireland review the ICCL's civil society report on the ICCPR, which includes recommendations on justice for survivors

In November 2014, the Government published details of a redress scheme for the victims of surgical symphysiotomy and invited applications from survivors. Awards under the scheme are granted *ex gratia* and are limited to three categories - €50,000, €100,000, €150,000 depending on the degree of injury suffered and its resulting impact. Criticism of the redress scheme includes the statutory requirement that women who accept an award must sign a legal waiver which indemnifies and 'holds harmless' a large number of State

and private actors including hospitals, medical personnel and religious orders (e.g. the Medical Missionaries of Mary) who ran the hospitals in question from any future legal action. In addition, no mechanism to facilitate truth finding or to identify and prosecute potential wrongdoers has been established despite the recommendations of the Human Rights Committee.

Criticising the inclusion of the waiver in the proposed redress scheme, Director of the ICCL Mark Kelly said:

“[The Minister for Health] is proposing that women who have spent their entire adult lives in pain should be required to waive their rights forever in exchange for a once-off payment from the State. Worse than that, the [Minister's] waiver requires women accepting payments to facilitate the impunity of those who could be held responsible for their injuries, expressly including doctors, consultants, obstetricians and the Medical Missionaries of Mary which ran a hospital (Our Lady of Lourdes Hospital, Drogheda) where much of this surgical abuse was perpetrated. This runs directly counter to this summer's recommendations by the UN Human Rights Committee that the State should initiate a prompt and independent inquiry, identify, prosecute and punish the perpetrators and facilitate access to judicial remedies.”

The ICCL continues to work with Survivors of Symphysiotomy to ensure that the women affected by these barbaric practices achieve a just and equitable outcome.



Marie O'Connor of Survivors of Symphysiotomy pictured at a joint ICCL/SoS press conference in September 2014

Promoting Justice

The *JUSTICIA* European Rights Network: A leading international voice on criminal justice reform

In recent years, the EU has passed a raft of important legislation on victims' and procedural rights under its 'Stockholm Programme'. Once properly implemented, these Directives can significantly improve the rights of victims, and accused and suspected persons across the EU. The ICCL-led *JUSTICIA* network was founded in 2012 to monitor the progress of this legislation, raise awareness of it, and promote its EU-wide implementation. In 2014 *JUSTICIA* grew from strength to strength, securing European Commission funding to continue its crucial advocacy and research activities.

During the course of 2014, the Network expanded considerably and had the pleasure to welcome new members from Italy, Romania, Sweden, Estonia, Cyprus, Slovenia, Austria and Croatia. The Network's membership now stands at 19 organisations across the European Union:

- Associazione Antigone Onlus (Italy)
- Association for the Defence of Human Rights in Romania – the Helsinki Committee
- Bulgarian Helsinki Committee
- Civil Rights Defenders (Sweden)
- Croatian Law Center
- Estonian Human Rights Centre
- Greek Helsinki Monitor
- Helsinki Foundation for Human Rights (Poland)

- Human Rights Monitoring Institute (Lithuania)
- Hungarian Civil Liberties Union
- Irish Council for Civil Liberties
- KISA - Action for Equality, Support, Antiracism (Cyprus)
- Latvian Centre for Human Rights
- League of Human Rights (Czech Republic)
- Ludwig Boltzmann Institute of Human Rights (Austria)
- Open Society Institute Budapest Foundation
- Rights International Spain
- Statewatch (UK)
- The Peace Institute (Slovenia)

Throughout 2014 *JUSTICIA* has worked to develop strategies for the implementation of the EU Victims' Directive, and the three adopted EU procedural rights directives on the right to interpretation and translation, the right to information and the right to access to a lawyer in criminal proceedings. The Network has worked through the delivery of roundtable discussions and workshops, the production of specialist publications and training programmes for law enforcement, legal practitioners, government officials and victim support organisations.

The Network also continued to monitor the progress of important draft EU legislation that has yet

to become law. This includes the proposed Directives on legal aid reform, and on procedural safeguards for accused or suspected children.

JUSTICIA events in 2014

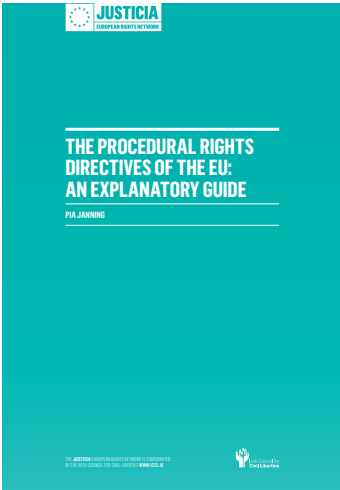
- A JUSTICIA-led workshop on the role of civil society in implementation of EU Law, held as part of the 7th Fundamental Rights Platform in Vienna, 11 April 2014.
- A roundtable of over 40 expert practitioners and academics to discuss the proposed EU Directives on provisional legal aid, and legal aid for accused persons, held in conjunction with the Open Society Justice Initiative in Brussels on 13 May 2014.
- A roundtable on implementation of EU criminal justice directives, held in conjunction with the Open Society Justice Initiative in Brussels on 14 May 2014.
- A bilingual seminar on the Victims’ Directive for Hungarian practitioners, held by our Hungarian Network Partner, the Hungarian Civil Liberties Union, in Budapest on 2 December 2014.
- Presentation on the implications of the Stockholm Programme to law enforcement officials from 19 EU member states at the European Police College (CEPOL) training programme at Garda Training College, Templemore, 3 December 2014.



ICCL Director Mark Kelly, in his capacity as JUSTICIA Consortium Leader, pictured with law enforcement officials from 19 European jurisdictions at a European Police College training event at the Garda Training College in Templemore, 3 December 2014

JUSTICIA publications in 2014:

- A JUSTICIA/ OSJI statement on the proposed EU Directives on provisional legal aid, and legal aid for accused persons, which was submitted to the Civil Liberties, Justice, and Home Affairs Committee of the European Parliament, the Council of the European Union, the EU Presidency and the European Commission.
- An explanatory guide to the adopted Procedural Rights Directives. Targeting key stakeholders within the criminal justice system, this guide summarises the rights and obligations contained within these directives, raising awareness while supporting the European Commission’s implementation efforts.
- New Latvian translation of JUSTICIA’s successful high-level training programme on the implementation of the Directive on the Right to Interpretation and Translation in Criminal Proceedings. The publication is now available in four Network member languages: English, Bulgarian, Latvian and Spanish.
- A Hungarian translation of the JUSTICIA Know Your Rights Guide to the Victims’ Directive. This publication is now available in English, Greek, Hungarian, Latvian and Lithuanian.



The Procedural Rights Directives of the EU: An Explanatory Guide

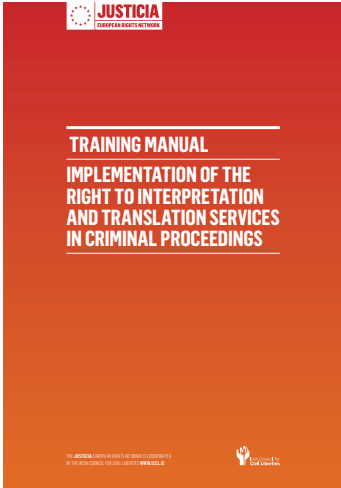
Building an EU justice knowledge centre

Over 2014 JUSTICIA has worked closely with partner organisation Statewatch to collate a comprehensive range of materials and in-depth specialised knowledge of EU criminal legislative developments on the Network’s website www.eujusticia.net. This includes up to date information on:

- Right to Interpretation and Translation
- Right to Information
- Access to a Lawyer
- Legal Aid Reform
- Presumption of Innocence
- Pre-Trial Detention
- Victims’ Rights
- Future of EU Criminal Justice

The website also contains a very useful database of European Court of Human Rights, Committee of Ministers and European Court of Justice caselaw on these topics.

Follow @EUJusticia for regular updates on our work in improving the criminal justice rights of accused persons and victims of crime across the EU.

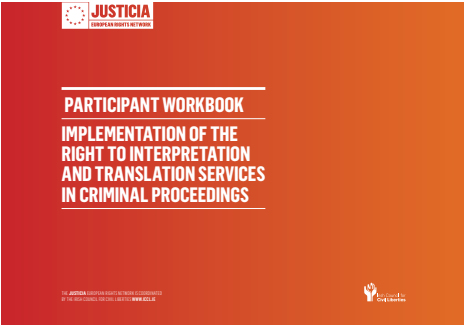


Implementation of the right to interpretation and translation services training manual

Judicial appointments process

In February 2014 the ICCL submitted a paper in response to a Department of Justice & Equality consultation on the review of procedures for the appointment of members of the judiciary. A series of recommendations was made in this submission on how the current judicial appointments

process should be reorganised, through legislation and administrative change to align the system with international legal and human rights standards, with a particular focus on the personal independence of the judiciary.



Implementation of the right to interpretation and translation services workbook

ICCL launches project on the right to access to a lawyer

On 30 June 2014, the ICCL launched its new EU-funded project on the right to access to a lawyer. The launch, held in the Law Society, was an opportunity to explore the changed legal landscape in this area following the Supreme Court judgment in *DPP v Gormley and White* on the right of access to a lawyer during Garda questioning, and the resulting DPP guidance.

At the launch, Michael Staines, Principal, Michael Staines & Co and Dara Robinson, Partner, Sheehan & Partners took part in a wide-ranging discussion on best practice

Dara Robinson of Sheehan and Partners addresses attendees at the launch in Dublin's Law Society, 20 June 2014. Also pictured: Mark Kelly and Michael Staines.



on provision of legal advice in Garda stations, given this changed environment. The discussion, led by Mark Kelly, ICCL Director and Consortium Leader of JUSTICIA, brought together key actors within the criminal justice process including government officials, criminal law practitioners and others working directly or indirectly with people who come into contact with the criminal justice system.

The event was also an opportunity to launch a second edition of our Know Your Rights Guide on Criminal Justice and Garda Powers. The pack, which is

available on www.knowyourrights.ie, has been updated in light of the recent Supreme Court judgment and DPP guidance on access to a lawyer. Further changes to the law on the collection of DNA evidence, the establishment of the DNA Database system and Garda vetting have also been included.

Providing leadership in the advancement of victims' rights

The ICCL has been a long-standing advocate for the promotion and protection of victims' rights in the Irish criminal justice system and is working to ensure that the government meets its obligations to victims under the EU directive on victims' rights, which comes into force in 2015. The ICCL was active on both the domestic and international fronts throughout 2014 in the advancement of the rights of victims of crime.



Report co-authors Professor Shane Kilcommins and Tina O'Sullivan at the launch, 30 January 2014

The rights of victims with a disability

In January 2014 the ICCL launched an authoritative new report highlighting gaps in protection for persons with a disability who become victims of crime. The report, entitled *An International Review of Legal Provisions and Supports for People with Disabilities as Victims of Crime* provides a comparative overview of the legal provisions and supports for crime victims with disabilities in seven common law jurisdictions including Ireland. Authored by Prof Shane Kilcommins

of the University of Limerick and Dr Claire Edwards and Ms Tina O'Sullivan, both from University College Cork, the report highlights significant barriers for persons with a disability in accessing justice from the pre-trial stage through to the trial and post-trial periods of criminal proceedings.

The study, the first of its kind, includes a list of practical recommendations on international best practice in this area, including in relation to sign language interpretation, the relaxation of certain formal procedures, the use of video testimony and provisions for unsworn testimony.

This study, an extensive piece of research into international best practice, is designed to equip policy makers with the ideas and information they need to meaningfully protect the rights of Ireland's most vulnerable crime victims.

The report was produced by the ICCL with the generous support of the Equality Authority through its 2012 bursary scheme, the Equality Small Grants Fund.

Implementing and enforcing the EU Victims' Rights Directive

In November 2014, the ICCL-led JUSTICIA European Rights Network and the newly-formed Victims' Rights Alliance (VRA) co-hosted a major

Minister for Justice Frances Fitzgerald TD speaks to the assembled media on arrival to the conference



international conference entitled *Implementing and Enforcing the Victims' Rights Directive in the European Union*.

The conference took place in The Pillar Room of the Rotunda Hospital, and was opened by Minister for Justice Frances Fitzgerald TD.

The date by which EU countries must transpose the Victims' Rights Directive is 15 November 2015 and the conference focussed on the requirements to ensure compliance by member states. In particular, the conference discussed the provision of information, support and protection

and how this can best be achieved in practice. Speakers underlined the need for the development of a national implementation plan for Ireland, to ensure that the Directive is fully implemented by the deadline.

Speakers included David McKenna, President of Victim Support Europe, Sue O'Sullivan, Federal Ombudsman for Victims of Crime in Canada, Susheel Gupta, Vice President of the Canadian Human Rights Tribunal, (then interim) Garda Commissioner Nóirín O'Sullivan and other victim support service providers and experts throughout the EU.

Policing in 2014: A year of upheaval and reform



Taoiseach Enda Kenny shakes hands with whistleblower Garda Sergeant Maurice McCabe while canvassing in Mullingar in May 2014. Photo courtesy of Seamus Kiernan, Westmeath Topic

At the heart of the ICCL’s mandate is our work on the establishment of an effective police force which is held accountable to international human rights standards. Since its inception, often the ICCL has been a lone voice in the public domain calling for internal Garda reform and an independent and human rights compliant oversight structure for this pivotal State organ.

In 2006, we published our seminal report *Implementing Morris, An Agenda for Change: Placing Human Rights at the Core of Policing in Ireland*. This included a series of recommendations

for reform, many of which were not acted upon by Government until the sharp need for policing reform in Ireland was catapulted into the public consciousness by a series of high profile scandals during 2014.

A flurry of revelations at the beginning of the year saw the establishment of three inquiries as well as the resignation of the former Minister for Justice and Equality, Alan Shatter TD and the former Garda Commissioner, Martin Callinan. Allegations of bugging at the Garda Síochána Ombudsman offices, mistreatment

of whistleblowers, and the taping of private telephone conversations at Garda stations unveiled the fragility of the policing management structure and its oversight. Many were shocked at the nature and extent of the disclosures and yet in the first instance, the Government consistently pushed back the ICCL’s calls for an independent investigation of the allegations under the Commissions of Investigation Act 2004.

First up, Mr Justice Cooke was appointed to review the allegations of bugging at the GSOC offices and this was quickly followed by Senior Counsel Seán Guerin taking up his post to conduct a ‘review of internal papers’ regarding allegations of Garda whistleblower, Maurice McCabe. By April 2014, claims had emerged of illicit taping at Garda stations and eventually, the Taoiseach moved to appoint Mr Justice Fennelly under the Commissions of Investigation Act 2004, a step for which the ICCL had advocated when the first allegations emerged in February 2014. However, Fennelly’s terms of reference were restricted and so the Government missed an opportunity to conduct the comprehensive inquiry it had promised.

By the end of the year, we knew that Guerin had found ‘profound systems

failures’ pertaining to operations within the Department of Justice and Equality and its relationship with the Gardaí and specifically Garda whistleblowers. His report led directly to the resignation of former Minister Shatter, a root and branch review of procedures within the Department of Justice and Equality and the appointment of Mr Justice O’Higgins in December 2014 to lead a Commission of Investigation into Certain matters relative to the Cavan/Monaghan Division of the Garda Síochána following a May 2014 report on those matters by Seán Guerin SC. Less enlightening however, was the exercise in ‘smoke and mirrors’ delivered by Mr Justice Cooke who reported that it was impossible to rule out categorically all possibility of covert surveillance but made no independent investigative attempt to establish objectively whether or not surveillance of GSOC by An Garda Síochána had been sought or authorised.

Throughout this period where policing irregularities were laid bare in wave after wave, the ICCL was at the forefront of public discourse, ensuring that accountability and human rights standards remained central to deliberations for reform. Our

evidence-based public engagement led to the ICCL's appearance before the Oireachtas Joint Committee on Justice, Defence and Equality in April 2014. Our key recommendations included strengthening the powers of the Garda Síochána Ombudsman Commission to independently investigate complaints against all members of the Gardaí including the Commissioner and a reiteration of our long-standing recommendation that a fully independent Garda Authority should be established. We were pleased to see the fruits of our advocacy in the Garda Síochána (Amendment) Act 2015.



ICCL Director Mark Kelly and Communications Manager Walter Jayawardene address the Oireachtas Joint Committee on Justice, Defence and Equality, 14 May 2014

Notwithstanding these positive developments and our collaborative approach in advocating for changes, in 2014 the ICCL continued to express its concern around the functions of the Garda Inspectorate, which does not have the requisite powers or capacity to conduct comprehensive

or independent policing reviews. Moreover, the ICCL was again the minority voice highlighting flaws in the reform process; most notably, expressing its concerns regarding the appointment by the Government of a senior public servant as Chairperson-designate of the new Policing Authority without an open and transparent competition.

2014 will be remembered as a year of fundamental change to Ireland's policing management and oversight. The ICCL was proud to progress further our vision for an independent and effective police force by engaging openly and positively with all stakeholders, including the Minister for Justice and Equality, TDs and Senators and key media outlets in order to publicise the human rights fundamentals of policing. Although the ICCL has advocated over a lengthy period of time for these reforms, we are acutely aware that this is only the beginning of the journey. We await the publication of the Fennelly and O'Higgins reports and the roll out of the functions of the Policing Authority. As an expert voice on police accountability, the ICCL will maintain a watchful eye on developments and continue to use its strong and independent perspective to highlight shortcomings and defects as necessary.

ICCL Director Mark Kelly speaks to the media in reaction to the publication of the Guerin Report on 8 May 2014



Securing Equality

Yes Equality: The Campaign for Civil Marriage Equality

Throughout 2014, the ICCL worked closely with its partners in Marriage Equality and the Gay and Lesbian Equality Network (GLEN) to organise, build and strategise for the creation of a national Campaign for Civil Marriage Equality. The first green shoots of the Yes Equality campaign took hold in November 2014 with a voter registration drive, in anticipation of a marriage equality poll in spring 2015.



Representatives of ICCL, GLEN, Marriage Equality and the USI launch the register to vote campaign in UCC, 3 November 2014

Launched in Cork City by 'No Limbs No Limits' campaigner Joanne O'Riordan and Eoin Murphy, goalkeeper for All-Ireland Hurling Champions Kilkenny, the campaign ran throughout the month of November in collaboration with Belong To, LGBT equality organisations across the country as well as the Union of Students in Ireland (USI), Students' Unions and Trade Unions.



Kilkenny Goalkeeper Eoin Murphy and campaigner Joanne O'Riordan launch the register to vote campaign in UCC on 3 November 2014

The Yes Equality 'Register to Vote' campaign

In November 2014 the ICCL joined GLEN and Marriage Equality to launch a joint campaign to encourage people to register to vote by the 25 November Register of Electors deadline, ahead of the spring 2015 referendum on civil marriage equality.

Over the course of the three week initiative, tens of thousands of first-time voters across the country registered to vote in a first step towards making their voices heard in the 2015 marriage referendum. Events were held across the country on campuses and in town centres promoting voter registration. In UCC over 3,700 people were registered to vote; in Trinity College 3,000 people and in Maynooth



Joanne O'Riordan and Eoin Murphy with representatives of ICCL, GLEN, Marriage Equality and the USI

2,500 people signed up in just a few examples of the initiative's on-campus impact. Meanwhile, the campaign made a great impression online, where the Yes Equality Facebook page received over 20,000 followers in three weeks.

The initiative received personal endorsements from a host of celebrity supporters, including Colin Farrell, Anjelica Houston, Hozier, The Script, Aidan Gillen, Damien Dempsey, Victoria Smurfit, Christy Moore

and Dara O'Briain. Taoiseach Enda Kenny TD, Tánaiste Joan Burton TD, Fianna Fáil leader Micheál Martin TD, Sinn Féin leader Gerry Adams TD, as well as TDs, Senators and councillors from right across the country also endorsed the campaign.

The positive reaction to this initiative was a taste of things to come in Spring 2015, which saw an unprecedented outpouring of popular enthusiasm for the Yes campaign.

Repeal of the 8th Amendment: continuing advocacy for women's reproductive rights

Following the enactment of the Protection of Life During Pregnancy Act 2013, abortion law reform remained one of the ICCL's top strategic priorities for 2014 and beyond.

Although the ECHR *A, B, and C* case is now closed, it was clear from developments in 2014 that the current legal regime in Ireland covering access to abortion is not fit for purpose and continues to deny women respect for their human rights, including the right to life, health, privacy and bodily integrity. Summer 2014 saw the controversial case of Miss Y hit the headlines. The story came just weeks after Ireland faced tough questioning from the UN Human Rights Committee regarding both the practical effectiveness, and the serious limitations of the 2013 Act, during which Sir Nigel Rodley declared that Irish law treats women as no more than "vessels".

Ultimately, the fundamental obstacle to achieving full respect to women's human rights is Article 40.3.3 of our Constitution, the repeal of which will continue to be a strategic priority for the ICCL in the years to come.

On 8 September 2014, Mark Kelly, ICCL Director, presented the ICCL's current stance and plans on abortion rights reform at the inaugural conference of the Coalition to Repeal the Eighth Amendment. The ICCL has since taken full part in the coordination and strategy of this new coalition.



The ICCL Human Rights Film Awards: celebrating human rights filmmaking at home and abroad

On 26 June 2014, the ICCL successfully concluded the sixth annual ICCL Human Rights Film Awards at a red carpet Gala Screening and Awards Ceremony in Dublin’s Light House Cinema. This year’s Awards saw the first steps in our plan to widen the international scope of Ireland’s only human rights themed film competition. This year the ICCL was also honoured to welcome Lenny Abrahamson, Conor McPherson, Brian Gleeson, as well as acclaimed documentary makers Pamela Yates and Paco de Onís as new additions to our Jury.



ICCL Film Awards Jury Members Brian Gleeson, Nicky Phelan and Ken Wardrop. Photo: Simon Prunty

The Gala Screening and Awards ceremony took place to a full house in Screen 1 of Dublin’s Light House Cinema, where Irish documentary maker Niamh Heery was awarded the 2014 Grand Prize for her film Harmanli: Trapped on the Fringe of Freedom. The film explores the lives of asylum seekers living in the Harmanli refugee camp in Bulgaria, many of them fleeing the conflict in Syria.



The Future Voices Ireland Team. Winners of the Human Rights in Under a Minute Challenge. Photo: Simon Prunty

Niamh Heery is a talented documentarian, writer and director, who specializes in social and rights themes in her filmmaking. In 2013 Niamh won the RTÉ/Galway Film Centre Short Film Award for Our Unfenced Country which was commended at the Belfast Film Festival 2014, and screened at the Chicago Irish Film Festival and Boston Irish Film Festival. This is her first award at the ICCL Human Rights Film Awards.



Niamh Heery pictured with Jury members Pamela Yates and Paco de Onís. Niamh is holding her Grand Prize trophy, a piece by Alan Ardiffe, kindly donated by the artist



The Light House Cinema's Screen 1 as the show begins.
Photo: Harry Weir

The 2014 Second Prize went to Spanish Director Nacho Gil's A Thin Line, a poignant short film that examines the issue of homelessness on the streets of Valencia, while third place went to director Virginia Manchado for her film Modou Modou, which follows a day in the life of an African emigrant who lives and works in London as a market labourer.

The 2014 'Human Rights in Under a Minute Challenge' prize went to the Future Voices Ireland group for their film Bullying: My Rights.

'Niamh Heery's Harmanli: Trapped on the Fringe of Freedom celebrates the deep humanity of the asylum seekers in Harmanli, a world which for so many feels so remote. A deserving winner in an outstanding shortlist of documentaries'.

– Awards Jury member and Emmy Award winning documentary filmmaker Pamela Yates



Food Not Fuel
Director: Alan Whelan

Shot by filmmaker Alan Whelan for Trócaire, Food Not Fuel is an educational and moving short documentary on the struggles of indigenous Mayans in Guatemala, who have faced eviction and expropriation to make way for bio fuel crops. Actor Aidan Gillen meets with members of the Rio Frio community in Guatemala's Polochic valley region, who speak emotionally about their struggle to survive and about their relationship with the land, which is central to their lives and identity. The film explores the aftermath of the seizure and exploitation of sacred ancestral Mayan lands from local people - lands now used to cultivate sugar cane to satisfy European bio fuel demands.



Modou Modou
Director: Virginia Manchado

Modou Modou is a Senegalese word for migrant people of sub-Saharan origin, who reside in Europe. Directed by Spanish filmmaker Virginia Manchado, this insightful short film follows a day in the life of an African emigrant who lives and works in London as a market labourer. Jazeem is from Senegal and works tirelessly every day to improve the life of his family back home, a family he hasn't seen in two years. The documentary starkly shows the reality of life for Jazeem as he struggles with loneliness, exhaustion and the disappointment of London life.



The Room
Director: Róisín Loughery

The Room subtly explores the small moments of magic that happen in the course of an art class in the Sacred Heart Hospital in Castlebar, Co. Mayo. The film is a powerful and touching portrayal of the creative experience of long stay hospital residents who have an acquired brain injury as a result of stroke, accident or conditions such as Alzheimer’s. Told through artist Tom Meskell’s own words, the film reveals the profound impact of art and creativity in the lives of the residents.

A Thin Line
Director: Nacho Gil Cid De Diego

Directed by Spanish filmmaker Nacho Gil, A Thin Line is a poignant short film that examines the issue of homelessness. Set to an evocative soundtrack, the film introduces people who, for various reasons, have found themselves homeless on the streets of Valencia. The film’s focus on first-hand testimony gives it a profound human dimension, articulately demonstrating the speakers’ impulse not just to survive, but to preserve their human dignity. Through their accounts, we learn that it is only a very thin line that separates all of us from marginalisation and social exclusion.



Harmanli: Trapped on the Fringe of Freedom
Director: Niamh Heery

Harmanli: Trapped on the Fringe of Freedom sees Irish documentary maker Niamh Heery explore life for asylum seekers inside the Harmanli camp in south-eastern Bulgaria. The camp houses over one thousand people many of whom claim to be Syrians fleeing conflict in their home country and seeking refugee status in Europe. Harmanli was established in a disused military base in order to cope with the high numbers of asylum seekers crossing into Bulgaria from Turkey, and accommodates women, men and children.

Chaja and Mimi
Director: Eric Esser

Chaja and Mimi is a charming short film that tells the story of Chaja Florentin and Mimi Frons who have been best friends for 83 years having met in kindergarten. Born and raised in Berlin, they had to escape to Palestine with their families in 1934. Chaja and Mimi chat engagingly about their complicated relationship with Germany and with Israel in a Tel Aviv café where they meet every day. By sharing photographs of pre-war Berlin, filmmaker Eric Esser elicits from these two remarkable women a fascinating insight into their attitudes to Germany, to the past, and to forgiveness. This is a tender inspirational story about survival, homeland, identity and the powerful bond of friendship.

The ICCL/Youthreach Human Rights Competition: linking education, creativity and rights

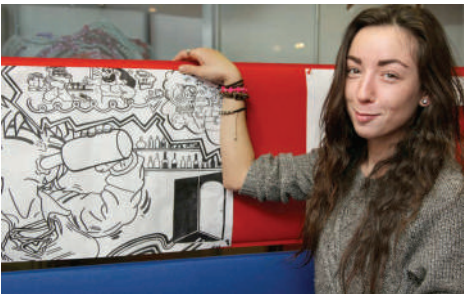
The ICCL/Youthreach Human Rights Competition, run jointly by the Irish Council for Civil Liberties (ICCL) and Youthreach since 2011, encourages young people in Youthreach centres across Ireland to apply their creative talents to explore human rights themes they are passionate about. 2014 saw the fourth annual instalment of this innovative collaboration.



Nathalie McCaul, coordinator with Cavan Youthreach (centre) with colleagues and Youthreach participants at the 2014 prizegiving ceremony in the Office of the Ombudsman for Children on 12 December 2014

Workshops on human rights and creativity

To ensure participation and to inspire Youthreach students to take part, the ICCL developed a programme of creative workshops with 2014 ICCL Human Rights Film Awards winner Niamh Heery and Dublin-based visual artist Grainne Tynan, which were held throughout the autumn in Dublin and in Cavan. The competition received an unprecedented volume of entries, all of enormous quality, channelling the creativity of Youthreach participants, and their human rights concerns.



Nikita Turner of Ballymun Youthreach pictured with a study for her mural project, which won third prize

Homelessness as a human rights issue

The prizegiving ceremony for the 2014 ICCL/Youthreach Human Rights Competition was held at a lively event in the Office of the Children’s Ombudsman on 12 December 2014. The event saw a new light shone on the homelessness crisis, where Cavan Youthreach’s Jamie Mullarkey was awarded first prize in the Competition for his uniquely creative lightbox installation entitled ‘Have you ever felt invisible before’.

The installation – a mixed media piece combining Perspex, wood, photography and lighting - is “designed to encourage the public to consider the invisibility and anonymity of life on the streets for those experiencing homelessness”, explained Jamie at the ceremony.

Jamie was awarded a tablet computer courtesy of DID Electrical, as well as a work placement with the ICCL. The

Nikita Turner, Darren Sherlock and Jamie Mullarkey pictured at the prizegiving ceremony for the 2014 ICCL/Youthreach Human Rights Competition, held at the Office of the Ombudsman for Children, 12 December 2014



ceremony also saw the work of two Dublin Youthreach centres celebrated. Nikita Turner bagged third prize for an ambitious mural painting project in Ballymun Youthreach tackling domestic violence, while Darren Sherlock of Parnell Square Youthreach came in second with a poignant original song entitled ‘Isolation’.

Jamie’s piece can currently be viewed in the lobby of the ICCL’s offices in Blackhall Place in Dublin. Footage from the prizegiving ceremony, including of Darren Sherlock and Nikita Turner’s entries, can be viewed on the ICCL website www.iccl.ie.

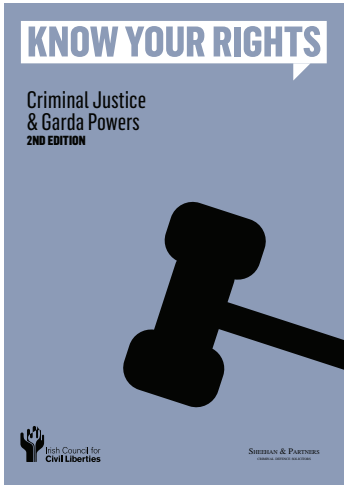
Know Your Rights: The ICCL's public information initiative

In 2014 the ICCL published two new editions of its Know Your Rights Series – an update of the highly-sought-after Know Your Rights Guide on Criminal Justice and Garda Powers, as well as a brand-new edition on the Rights of Children and Young People.

Know Your Rights: Criminal Justice and Garda Powers (Second Edition)

2014 saw a number of significant changes in the area of criminal justice and Garda powers, most notably following the Supreme Court judgment in *DPP v Gormley and White* on the right of access to a lawyer during Garda questioning, and the resulting DPP guidance.

In June 2014, the ICCL launched a second edition of its Know Your Rights guide on criminal justice and Garda powers. As well as reflecting new DPP guidance on access to a lawyer, this new edition also covers recent changes to the law on the collection of DNA evidence, the establishment of the DNA Database system and Garda vetting.



Second edition of the Know Your Rights Guide on Criminal Justice and Garda powers



Solicitor Michael Staines speaks at the launch of the second edition of the Know Your Rights Guide on Criminal Justice and Garda Powers, June 2014

Know Your Rights: The Rights of Children and Young People

On 26 November 2014, Dr James Reilly TD, Minister for Children and Youth Affairs launched the latest in the ICCL's Know Your Rights public information series, Know Your Rights – The Rights of Children and Young People.

The guide was produced in partnership with the Children's Rights Alliance, and is the first of its kind which seeks to comprehensively and accessibly outline the rights of children and young people in Ireland. As with the rest of the ICCL's Know Your Rights series, the guide has been awarded a Plain English mark by the National Adult Literacy Agency (NALA).



Know Your Rights: The Rights of Children and Young People



Children's Rights Alliance CEO Tanya Ward, Minister for Children and Youth Affairs Dr James Reilly TD and ICCL Director Mark Kelly pictured at the guide's launch

Organisational Development

Working to secure a sustainable future for human rights in Ireland

We would like to extend our sincere thanks to our members, supporters and friends for your continued support, which makes our work possible. We are especially grateful to the Atlantic Philanthropies. Their fundamental contribution to the development of a robust human rights infrastructure in Ireland is a proud legacy, and will continue to contribute to lasting positive change.

During 2014, we saw many encouraging developments in securing a sustainable future for the ICCL as Ireland's independent human rights watchdog – building and strengthening our community of supporters while raising funds.

As this report outlines, the European Commission has selected the ICCL for the fifth consecutive year as a recipient of an operating grant in relation to our criminal justice work, enabling us to deliver a range of activities and projects in this key policy area through the ICCL-led *JUSTICIA* European Rights Network. This funding also enabled us to expand the network to include 19 members in 17 EU Member States.

Together with the Irish Human Rights Centre at NUI Galway, we have been awarded a contract to fulfil the role of the Fundamental Rights Agency's

National Focal Point, tasked with data collection and research services on fundamental rights issues. During the year, we also launched a two-year project funded by the European Commission focusing on best practice and implementation of the Directive on Access to a Lawyer in Criminal Proceedings. This exciting project, which involves leading criminal law practitioners and partner organisation Open Society Justice Institute, provides a forum for analysis, information and knowledge exchange in order to ensure that the rights of accused persons are upheld in Ireland. We have continued to receive support from the Open Society Initiative for Europe, to whom we extend our thanks for their unwavering commitment to equality.



ICCL Human Rights Film Awards banner in The Light House Cinema, June 2014

In June 2014, the ICCL held its 6th annual ICCL Human Rights Film Awards, Ireland's only human rights-themed short film competition, where we welcomed 280 guests to the Light

House Cinema to acknowledge and celebrate the work of the shortlisted filmmakers. The Human Rights Film Awards aim to highlight human rights in an Irish and global context while demonstrating how the arts, specifically film, can connect people with human rights in a powerful way, reminding us all why rights matter and why they need to be protected. Ultimately, we hope that the Human Rights Film Awards will inspire audiences into action and become human rights champions in their daily lives and in their communities. This project has continued to grow and expand since its inception, drawing entries from filmmakers from all over the world and helping the ICCL to build an invaluable network of supporters in the arts.

We are deeply grateful to the Light House Cinema, IFCO, Filmbase, Windmill Lane, RTÉ Young Peoples and all of our sponsors, as well as our Jury and Panel members, interns and volunteers, who continue to make the project possible each year by donating funds, equipment, services, prizes, vouchers, time and expertise. We also extend our huge gratitude to over 70 funders, who contributed support through our third online crowdsourced fundraising campaign and helped to cover the costs of the Human Rights Film Awards.



ICCL Human Rights Film Awards Jury members Brian Gleeson, Nicky Phelan, Conor McPherson and Lenny Abrahamson at the launch of the 2014 ICCL Human Rights Film Awards Shortlist, 4 June 2014

Building close ties with Ireland’s legal community is also a crucial part of building a sustainable support network for the ICCL. In December 2014, the ICCL welcomed over 90 guests to Dublin’s Fallon & Byrne for our 7th annual evening for legal practitioners. Guests braved wintry conditions to join us for an evening of lively discussion, networking and peer-to-peer exchange, featuring Dr. Síofra O’Leary of the Court of Justice of the European Union – since appointed to the European Court of Human Rights - as our special guest speaker. As with all our initiatives, the kindness of our supporters makes such events possible: the Bar Council of Ireland kindly sponsored the pre-event reception, and numerous companies and organisations donated prizes for our exclusive raffle to raise funds for the work of the ICCL.

At the ICCL’s annual evening for legal practitioners in December 2014. Pictured left to right: Dr Síofra O’Leary, Sinead Gibney and Emily Logan of the Irish Human Rights and Equality Commission, ICCL Director Mark Kelly



How your support helps

With the strength of our members and supporters, we are able to intervene where needed to shape public debate, ensuring that human rights are part of the discussion when developing policy and legislation in Ireland. We can also act quickly and meaningfully when our rights are under threat. The policing crisis that swept Ireland in 2014 – a crisis in which the ICCL’s voice played a crucial role in shaping the debate – is a case in point. The support of our friends and members also makes it possible for us to engage in outreach and education work around human rights.

The ICCL is working to become fully sustainable, which will enable the organisation to carry out its day-to-day work while meeting future economic and political difficulties which may arise, so that rights in Ireland remain protected for generations to come.

We would again like to thank all of our members, supporters and friends who contribute their time, energy and financial support to ensuring a secure future for Ireland’s independent human rights watchdog.

Publications and Events

January

An International Review of Legal Provisions and Supports for People with Disabilities as Victims of Crime, book launch and conference, NUI Merrion Square, ICCL/UCC/Equality Authority, 30 January 2014

‘New Report Highlights Protection Gaps for Crime Victims with Disabilities’, press release, 30 January 2014

February

‘Rights Watchdog welcomes EU Parliament’s Call to Combat Homophobia’, press release, 4 February 2014

‘Pope’s Ambassador Should Give Answers on UN Vatican Abuse Report’, press release, 5 February 2014

‘Rights Watchdog “Gravely Concerned” by GSOC Bugging Revelations’, press release, 10 February 2014

Ireland’s Human Rights Record Under the Spotlight, Universal Periodic Review Civil Society Event, Ashling Hotel, Parkgate Street, Dublin 7, 11 February 2014

Kelly, M., ‘Judicial inquiry only way to tackle crisis’, opinion piece, Irish Examiner, 14 February 2014

Kelly, M., ‘There’s no credible alternative to an independent inquiry into GSOC allegations’, opinion piece, The Journal, 17 February 2014

‘Independent inquiry into GSOC spying allegations needed now says rights watchdog’, press release, 18 February 2014

‘ICCL ‘Welcomes’ GSOC Judicial Inquiry Move’, press release, 18 February 2014

‘GSOC-gate Judge Must Have Proper Legal Powers says ICCL’, press release, 19 February 2014



An International Review of Legal Provisions and Supports for People with Disabilities as Victims of Crime, published January 2014



Anna Visser of the Advocacy Initiative, Rachel Mullen of the Equality and Rights Alliance and Mark Kelly of the ICCL at our UPR consultation, February 2014

March

Kelly, M., ‘GSOC judge must be given full powers’, opinion piece, Irish Examiner, 20 February 2014

‘Enough is enough, rights watchdog tells Government; independent inquiry needed now’, press release, 25 February 2014

ICCL Written Statement to the UN on Ireland’s Interim UPR Report, 25 February 2014, UN Document Number A/HRC/25/NGO/52

ICCL Submission to the Department of Justice Review on Procedures for the Appointment of Members of the Judiciary, February 2014

Kelly, M., ‘Restoring public trust in our police force’, opinion piece, Irish Examiner, 3 March 2014

‘ICCL comment on recent statement by Mr Oliver J. Connolly, former Garda Confidential Recipient’, press release, 4 March 2014

‘Supreme Court sends Government clear message on fair trial reforms’, press release, 6 March 2014

‘End “Catch 22” Approach to Implementing Human Rights Law says ICCL’, press release, 21 March 2014

‘Ireland’s Universal Periodic Review - Interim Report 2014’, multimedia piece published on the Storehouse platform, 21 March 2014

Inaugural High-Level Legal Expert Group Meeting on Access to a Lawyer, ICCL event, Dublin, 24 March 2014



The ICCL’s multimedia piece on the UPR, published in March 2014 on the Storehouse platform.



Deirdre Duffy of the ICCL speaking at Public Interest Law Alliance conference, Using the Law to Challenge Injustice, March 2014

‘Garda accountability; the rot must stop says ICCL’, press release, 25 March 2014

ICCL presentation at Public Interest Law Alliance conference ‘Using the Law to Challenge Injustice’, 28 March 2014

April

‘Rights watchdog releases Cabinet Committee correspondence on Garda inquiry terms of reference’, press release, 8 April 2014

‘Rights groups welcome Euro Court decision on Data Privacy’, press release, 8 April 2014

‘Fennelly Inquiry Terms “Fail to Grasp the Nettle” says ICCL’, press release, 8 April 2014

JUSTICIA workshop on transposition and implementation of EU Law at the Fundamental Rights Platform, Vienna, 11 April 2014



ICCL Director Mark Kelly prepares for an interview with RTÉ Television on 8 May 2014

ICCL Submission to the Oireachtas Joint Committee on Justice, Defence and Equality on the effectiveness of legislation relating to oversight of An Garda Síochána, 16 April 2014

May

ICCL presentation to the Seanad Public Consultation Committee on ICCPR, Seanad Chamber, Leinster House, 6 May 2014

‘ICCL Reaction to Shatter Resignation’, press release, 7 May 2014

ICCL presentation at International Network on Hate Studies Conference, University of Sussex, Brighton, UK, 8-9 May 2014

‘Rights watchdog deplores “profound systems failures” identified in Guerin report’, press release, 9 May 2014



Mark Kelly and Walter Jayawardene of the ICCL with John Devitt and Susheela Math of Transparency International Ireland at the Joint Committee on Justice, Defence and Equality, 14 May 2014

Kelly, M., ‘Alan Shatter’s resignation’, letter to the editor, Irish Times, 13 May 2014

‘ICCL objects strenuously to Garda inquiry by “creature of the Minister”’, press release, 13 May 2014

JUSTICIA/OSJI roundtables on Implementation of EU Criminal Justice Directives and on Legal Aid in the EU, Brussels, 13-14 May 2014

‘Rights Watchdog Calls for “Streamlined” Garda Accountability Mechanisms’, press release, 14 May 2014

ICCL presentation to the Joint Committee on Justice, Defence and Equality in relation to its review on the effectiveness of the legislation related to oversight of An Garda Síochána, 14 May 2014

‘UN tells Vatican: Magdalene Orders Must Pay’, press release, 23 May 2014



Symphysiotomy survivor Matilda Behan pictured with her daughter at the launch of the ICCL’s civil society ICCPR report to the UN Human Rights Committee, which included survivor testimony, June 2014

June

‘Film Greats Launch ICCL’s Awards Shortlist’, press release, 4 June 2014

‘Intense European Scrutiny of Ireland’s Abortion Law Still Needed says Watchdog’, press release 5 June 2014

‘Vodafone revelations highlight need for overhaul of interception laws says ICCL’, press release, 6 June 2014

Jayawardene, W., ‘Putting human rights on screen’, feature article, Irish Examiner, 9 June 2014

‘Cooke’s GSOC report is “an exercise in smoke and mirrors” says ICCL’, press release, 10 June 2014

‘Justice Committee should scrutinise Cooke’s “smoke and mirrors” GSOC report says ICCL’, updated press release, 11 June 2014

‘Symphysiotomy Survivors Join Rights Groups in Report to UN’, press release, 12 June 2014



A guest holds the programme for the 2014 ICCL Human Rights Film Awards Gala screening

ICCL attendance at Farmleigh consultation seminar on justice reform, 20 June 2014

Photocall Launch of the 2014 ICCL Human Rights Film Awards Shortlist, Smithfield Dublin 7, June 2014

Civil Society Report to the Fourth Periodic Examination of Ireland under the International Covenant on Civil and Political Rights (ICCPR), publication and launch, Buswells Hotel Dublin, 12 June 2014

ICCL Human Rights Film Awards Gala Screening, Light House Cinema, Dublin, 26 June 2014

Legal advice in Garda stations – Best Practice in a Changed Environment, Launch of the ICCL’s EU-funded Access to a Lawyer project, and launch of Know Your Rights Guide on Criminal Justice and Garda Powers, 2nd edition, event and publication, 30 June 2014



Civil society representatives in Geneva ahead of Ireland’s examination under the ICCPR in July 2014

July

‘Campaign Groups Welcome Taoiseach’s Announcement of Marriage Referendum in Spring 2015’, press release, 1 July 2014

‘Rights Watchdog Welcomes Reported GSOC Reforms’, press release, 1 July 2014

Irish Council for Civil Liberties Annual General Meeting, 5 July 2014

‘UN Experts Told Ireland Needs New Rights Protections’, press release, 14 July 2014

The Human Rights Green Room, Rights Groups Gather in Dublin as Ireland Faces UN in Geneva, event, Goldsmith Hall, The Radisson Blu, Golden Lane, Dublin, 14 July 2014

UN formal examination of Ireland under ICCPR in Geneva, ICCL-led delegation, 14 July 2014

‘ICCL Wholeheartedly Endorses Coruscating UN Comments on Ireland’, press release, 15 July 2014



Human Rights Green Room in Dublin with webcast of Ireland facing UN in Geneva, July 2014

‘Rights watchdog “disappointed but not surprised” by Cooke’s reported refusal to be held to account’, press release, 16 July 2014

‘Rights Watchdog “Enthusiastically Welcomes” Emily Logan as new Chief Commissioner of the Irish Human Rights and Equality Commission’, press release, 17 July 2014

Duffy, D., ‘A woman pregnant by rape is treated as a ‘vessel and nothing more’ by Irish law, opinion piece, The Journal, 17 July 2014

‘Watchdog welcomes UN call for constitutional reform on abortion’, press release, 24 July 2014



ICCL Newsletter, Rights News 27, Spring/Summer 2014

August

Civil Marriage Equality event, Electric Picnic, 29 August 2014

Rights News 27, Spring/Summer 2014

Rights News 28, Summer 2014

Irish Council for Civil Liberties, Breaking New ground for Human Rights, Annual Report 2013, publication, August 2014



ICCL Newsletter, Rights News 28, Film Awards Special

September

‘New Law Gives “Better Protection” to Children and Families Says Rights Watchdog’, press release, 25 September 2014

Joint ICCL and Survivors of Symphysiotomy press conference to reject Minister Varadkar’s proposed *ex gratia* scheme to compensate victims of Symphysiotomy, Wynn’s Hotel, Abbey Street Middle. Dublin 1, 30 September 2014

‘Rights groups reject symphysiotomy redress proposals that “flout” human rights standards’, press release, 30 September 2014



ICCL Annual Report 2013, ‘Breaking New Ground For Human Rights’

October

ICCL contribution to Survivors of Symphysiotomy briefing for Oireachtas members, Leinster House AV Room, 8 October 2014

‘Irish Centre for Human Rights and ICCL win top EU Rights Contract’, joint press release with Irish Centre for Human Rights (ICHR), NUI Galway, 14 October 2014

Guth Gafa Film Festival, ICCL Film Awards films screening, Headfort House, Kells, Co Meath, 25 October 2014

‘Waterford’s racist mob highlights “urgent” need for hate law reform says ICCL’, press release, 28 October 2014

ICCL attendance at NGO Roundtable on Hate Crime, Limerick, 29 October 2014



Mark Kelly with Vincent Browne at the Survivors of Symphysiotomy press conference, 30 September 2014

November

‘Proposed symphysiotomy redress scheme strongly criticised by rights watchdog’, press release, 6 November 2014

‘ICCL Statement on Publication of Draft Policing Authority legislation’, press release, 7 November 2014

‘Feehily appointment to Policing Authority “short circuits best practice” says ICCL’, press release, 13 November 2014

‘Ireland has opportunity to ‘blaze trail’ on victims’ rights, conference hears’, press release, 14 November 2014

Joint Victims’ Rights Alliance (VRA) and Irish Council for Civil Liberties- led *JUSTICIA* European Rights Network conference “Implementing and Enforcing the Victims’ Rights Directive”, 14 November 2014



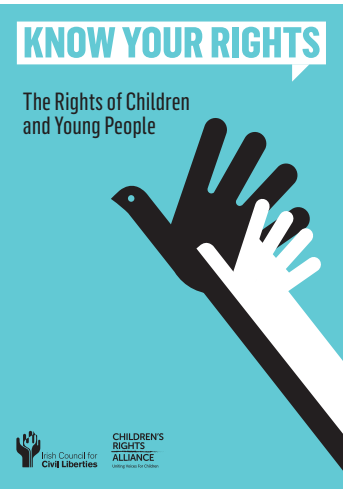
Minister for Justice Frances Fitzgerald TD with Maria McDonald of the Victims Rights Alliance at the ‘Implementing and Enforcing the Victims’ Rights Directive’ conference, 14 November 2014

‘Rights groups denounce use of BAI complaints procedures to “chill” equality discussions’, joint press release with Marriage Equality, 20 November 2014

‘Progress on Children’s Rights Celebrated at Launch of New Guide’, press release, 26 November 2014

Launch of Know Your Rights - The Rights of Children & Young People, publication and event, European Parliament House, 43 Molesworth Street, Dublin , 26 November 2014

‘Irish Rights Leader Elected to Key European Anti-Torture Role’, press release, 27 November 2014



Know Your Rights - The Rights of Children & Young People, November 2014

December

‘Implementing and Enforcing the Victims’ Rights Directive’, *JUSTICIA* training event, Budapest, 2 December 2014

JUSTICIA presentation on the implications of the Stockholm Programme at the CEPOL training programme, Garda Training College, Templemore, 3 December 2014

Joint ICCL, Amnesty International Ireland, Survivors of Symphysiotomy press conference calling for fundamental changes to Government Symphysiotomy Payment Scheme as vital hospital records emerge, Buswells Hotel, Dublin, 9 December 2014

‘Varadkar’s symphysiotomy waiver “shields perpetrators” say advocates’, press release, 9 December 2014

Seventh annual ICCL Dinner and Lecture for Legal Practitioners, Fallon and Byrne, Dublin, 10 December 2014



Third place prizewinner Nikita Turner pictured with Ken Breen of Gallagher Shatter Solicitors and Walter Jayawardene of the ICCL at the ICCL/Youthreach Human Rights Competition Ceremony, December 2014

ICCL/Youthreach Human Rights Competition Ceremony, Office of the Ombudsman for Children, 12 December 2014

‘Cavan Youthreach Shines New Light on Homelessness in Human Rights Competition Win’, press release, 12 December 2014

Rights News 29, Autumn/Winter 2014

Janning, P., ‘*JUSTICIA* - The Procedural Rights Directives of the EU: An Explanatory Guide’, December 2014

‘Rights Watchdog Regrets “Parochial Focus” of Garda Whistleblower Investigation’, press release, 19 December 2014



ICCL Newsletter, Rights News 29, Autumn/Winter 2014

Our Finances

The ICCL consists of two organisations – the ICCL Association and ICCL Ltd., a company limited by guarantee. All of our day-to-day activities are managed by ICCL Ltd., including promotional and awareness-raising initiatives, research and policy activities, fundraising campaigns, staff costs and general overhead expenditure.

The ICCL Association is a membership organisation. The ICCL Association's financial statements reflect all income generated through membership fees and additional donations made by members.

The ICCL receives income from individual members, supporters and a small number of foundations and trusts in order to carry out the work of the organisation. The ICCL expends its income on research, campaigning and promotional costs across the four main 'pillars' of the organisation's work (monitoring human rights, promoting justice, securing equality and organisational development).

Information is provided to all donors, including individuals, trusts and foundations, on a regular basis regarding developments, activities and programmes to ensure that the ICCL operates in a manner that is transparent and accountable. The ICCL complies with all legal and regulatory requirements, in line with best practice for NGOs.

The ICCL financial statements for 2014 have been audited by Squires & Co. Chartered Accountants & Registered Auditors, 32 Merrion Street, Dublin 2.

		2014 (€)	2013 (€)
Income & Expenditure Account For the year ended 31 December 2014	Income		
	Grants	0	0
	Membership	5,943	6,269
	Donations	0	110
	Other income	0	6
		5,943	6,385
	Special funds	0	0
	Total Income	5,943	6,385
	Expenditure on Activities of Strategic Plan		
	Capacity Building	(14)	49
	Research & Policy Development	0	0
	Campaigning and Communication	70	70
	Lobbying and Advocacy	0	0
	Networking	0	0
	Fundraising	0	0
	Total Expenditure	56	119
	Surplus of Income over Expenditure	5,887	6,266

		2014 (€)	2014 (€)	2013 (€)	2013 (€)
Balance Sheet As at 31 December 2014	Fixed Assets				
	Current Assets				
	Prepayments				
	Bank and Cash	28,021		22,134	
			28,021		22,134
	Current Liabilities				
	Trade Creditors	0		0	
	Accruals	0		0	
			0		0
	Net Assets		28,021		22,134
	Cash Carry Forward		22,134		15,868
	Surplus of income over expenditure		5,887		6,266
			28,021		22,134

		2014 (€)	2013 (€)
Income & Expenditure Account For the year ended 31 December 2014	Income		
	Total Income	1,233,971	952,572
	Expenditure		
	Costs of campaigns, publications and awareness and fundraising activities	(1,065,058)	(788,267)
	Support Costs (Governance, administration and capacity building costs)	(168,918)	(163,623)
	Total Expenditure	(1,233,976)	(951,890)
	Bank Interest	5	17
	Surplus before taxation	0	699
	Tax on surplus	0	(3)
		0	696
	Retained Surplus brought forward	0	0
	Retained Surplus at the end of the year	0	696

The company had no recognised gains or losses in the financial period other than the surplus for the above two financial years.

The above figures are taken from the ICCL Ltd., audited financial statements for the year end (31 December) 2014.

		2014 (€)	2014 (€)	2013 (€)	2013 (€)
Balance Sheet As at 31 December 2014	Fixed Assets				
	Computer Equipment		3,351		5,152
	Furniture & Fixtures		3,406		7,162
			6,757		12,314
	Current Assets				
	Debtors	103,204		355,812	
	Cash at bank and in hand	116,059		128,572	
		219,263		484,384	
	Creditors: amounts falling due within one year	(194,570)		(465,248)	
	Net Current Assets/ Liabilities		24,693		19,136
	Total assets less current liabilities		31,450		31,450
	Reserves				
	Retained Surplus		31,450		31,450

The above figures are taken from the ICCL Ltd., audited financial statements for the year end (31 December) 2014.

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