



Irish Council for
Civil Liberties

2018

ANNUAL REPORT



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Message from the Chair

The Board of ICCL are proud to provide this report to our members and supporters of our achievements and activities during 2018. This year included many landmarks – not only with crucial and historic achievements for women’s rights and Garda reform, but also in strengthening ICCL and building a more resilient and sustainable organisation.

This is a challenging time for civil society in Ireland. Onerous and overlapping regulations have greatly increased the governance and compliance duties of voluntary boards. To that end the ICCL board of directors have strengthened our own systems and recruited new board members with specific expertise in these areas. Some of the regulations applied to civil society also constitute

direct interferences with freedom of association and freedom of expression. The provisions of the Electoral Act apply party political funding rules to legitimate advocacy by civil society. This means that Irish law can have the effect of limiting the ability of citizens to come together to have a voice on anything deemed to be ‘political’ in the broadest sense. In response, during 2018 ICCL led the Coalition for Civil Society Freedom campaign to bring our law in line with international human rights standards. This is a crucial issue for civil society and for anyone who believes that public discourse should not be limited to political and business interests.

A key challenge facing ICCL and other Irish human rights organisations remains finding the

resources to carry out our work in a sustainable way. In 2018 we made important progress in securing new sources of core funding for our work, including a significant increase in the level of financial support from our members and those who share our vision of a more just, free and equal Ireland. We continue to receive support from some of the largest and most important international human rights foundations; but our aim is to develop a base of local funding support which will secure our long term future. Growing our membership and widening the friends of ICCL circle are crucial to that goal.

Building our local support base is about a lot more than financial support. ICCL has a rich history of building and leading coalitions and alliances across a broad agenda of human rights issues. Over the coming years, together we will lead campaigns on the right to protest and on free speech. Our vision is to build a stronger movement for human rights and civil liberties, providing our members and supporters with a platform to effect change in our society. Your continued support, and the deepening of our links of solidarity with civil society, trade unions, and academia, will be essential for the success of these campaigns.”

Deirdre Miller, Chair

“Our vision is to build a stronger movement for human rights and civil liberties, providing our members and supporters with a platform to effect change in our society.”



Director's Foreword

The enormous vote in favour of Repeal of the Eighth Amendment was a thunderous statement of a changed Ireland, a statement that resounded internationally. ICCL was part of Together for Yes but also drove the *Her Rights* campaign highlighting the impact of the 8th amendment on women's human rights. ICCL opposed the 1983 Referendum in the face of extreme hostility and during the referendum campaign we hosted a celebration of all those who fought for reproductive rights over the past 40 years, including former ICCL members, board members and staff. We were especially proud of the role played in the campaign for repeal by Catherine McGuinness, Ivana Bacik, Ailbhe Smyth (coordinator of the Coalition to Repeal the Eighth) and Deirdre Duffy (campaign manager of Together for Yes).

The successful blasphemy referendum in September, in which ICCL played a leading role, was a further step towards a progressive and inclusive Ireland. Further constitutional reform in relation to divorce and women's role in society are still needed and we will continue to advance those issues in 2019. The outstanding issue of historical treatment of women and children and their campaigns for truth and justice remain urgent and ICCL will continue to support their work.



"We will continue to fight for the right to protest, for free speech and for freedom of association so that everyone in our society can make their voice heard"

The Repeal referendum also threw up important questions about free speech and restrictions on political speech. Free speech and prevention of censorship are core priorities for ICCL and we were proud to highlight the difficulties experienced by artists and artistic bodies during the referendum and to work with them to highlight interferences with free speech.

Garda reform has been at the centre of ICCL's work since our foundation. We believe that policing is the critical interface between State power and individual rights and we have consistently called for human rights based reform of An Garda Síochána. In 2018 we published an ambitious vision for comprehensive human rights based reform (supported by a grant from the Irish Human Rights and Equality Commission) and this vision was largely reflected in the final report of the Commission on the Future of Policing, published in September. This is a historic achievement for ICCL and the culmination of our campaigning over four decades.

The next phase in Garda reform may prove more challenging as the positive vision of the Commission on the Future of Policing awaits implementation. In 2019 ICCL will monitor the implementation process closely, and we will also bring forward proposals for specific reforms in key operational areas of policing including protest, surveillance and hate crime.

A further key area of our work in 2018 was privacy and the impact of technology on human rights. The Government's attempts to extend the Public Service Card in the face

of strong legal and privacy concerns remains our main priority and we continue to fight this undemocratic attack on individual privacy. The range of issues relating to State surveillance and regulation of private technology companies continues to increase. There can be no doubt but that our fundamental rights to privacy and to free speech apply online as well as off and we will continue to defend those rights even as government and business work to erode them.

Finally, we are mindful that the global environment for human rights is deteriorating and many of our international colleagues, in Europe and further afield, face growing repression. Ireland has a duty to stand up for the values of our republic. Now more than ever it is important that Ireland shows leadership in defending human rights values – by taking principled positions against authoritarianism in the EU and at the UN, and by showing a willingness to address the gaps in our own domestic human rights record.

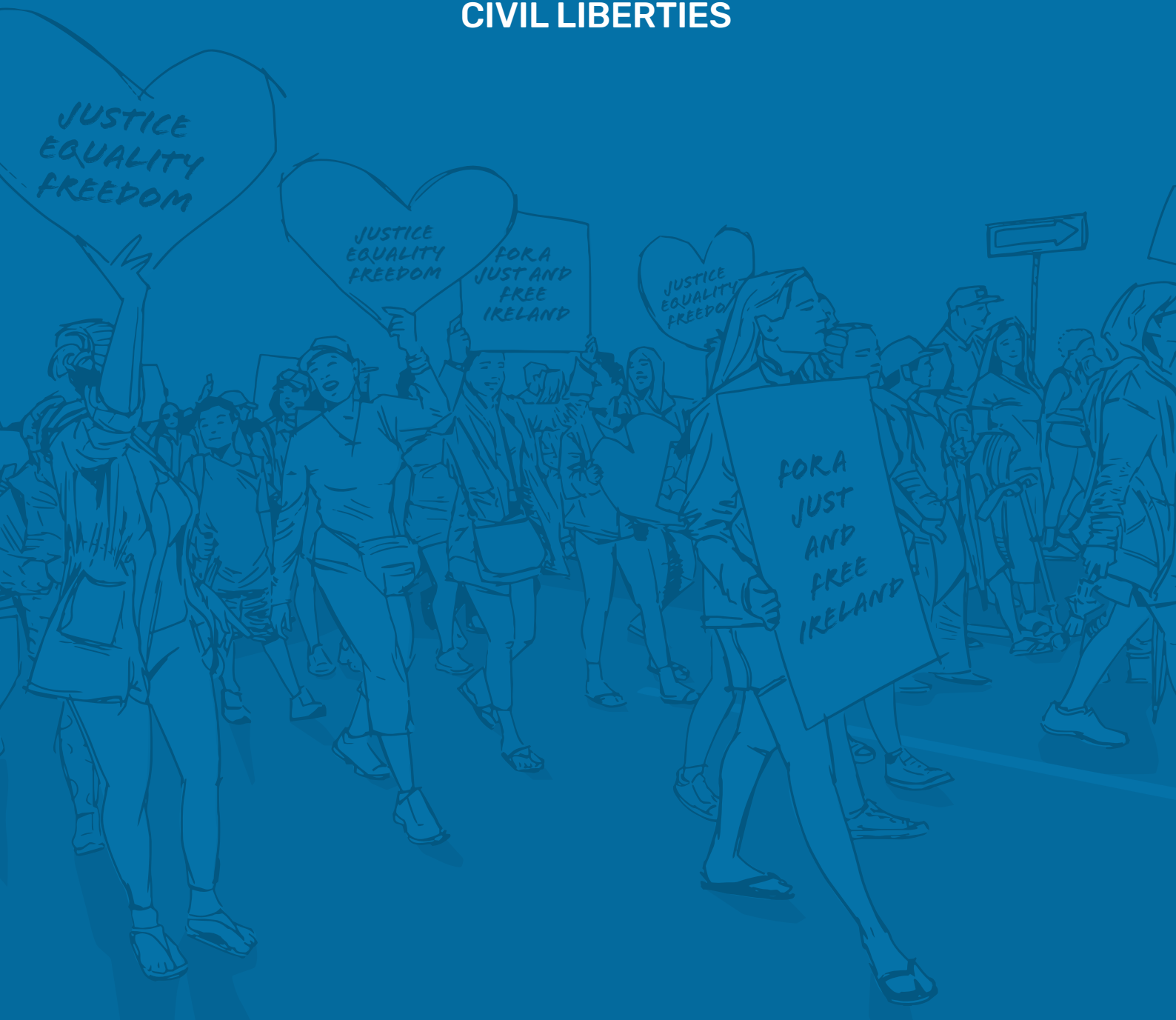
For 2019, we will continue to fight for the right to protest, for free speech and for freedom of association so that everyone in our society can make their voice heard. Reform of the Electoral Act must be a start. We will work for reform of the gardai that will go further than reports and recommendations, and we believe that Ireland must finally put in place an effective system of inspecting all places of detention. Outstanding issues of investigation and access to records must be addressed.

These are ambitious goals – but they are urgent and necessary!

Liam Herrick, Executive Director

OUR PEOPLE

IRISH COUNCIL FOR
CIVIL LIBERTIES



The 2018 Executive Board

In 2018, Jonah Mudehwe and JB Terrins stepped down from the ICCL board. ICCL would like to extend a warm thank you to both for their years of service.

We were delighted to welcome Suzy Byrne and Muiris Ó Céidigh on to ICCL's Board.

SUZY BYRNE

Suzy Byrne is a disabled woman, activist and broadcaster and has over 25 years paid and unpaid experience in the community and voluntary sectors working on equality and disability issues. She is currently working as a regional manager for the National Advocacy Service for People with Disabilities. Suzy has worked in print and broadcast media on LGBT and other rights issues both nationally and internationally. She was co-chairperson of the Gay and Lesbian Equality Network (GLEN) during the campaign to decriminalise homosexuality in 1993 and has also chaired the International Lesbian and Gay Youth Organisation. (IGLYO). An award winning blogger she has an interest in social media and harnessing it for social change and campaigning and more recently has worked on disability and reproductive rights campaigns and capacity building amongst disabled people. She has recently been appointed to the board of Iarnród Éireann by the Minister for Transport, Tourism and Sport.

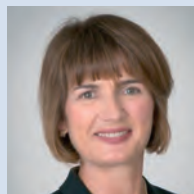
MUIRIS Ó CEIDIGH

Dr Muiris Ó Ceidigh holds a Doctorate in Governance from Queens University Belfast where he conducted research into media, power and emerging civil and human rights. He was appointed as a non-executive director of the Economic Research Institute of Northern Ireland by UK government in 2003. He is a Trustee of the Institute for Conflict Research in Belfast, Northern Ireland. He is also a member of Property Services Regulatory Authority and of the Medical Scientists Registration Board in ROI. He practiced as a commercial lawyer with A & L Goodbody for several years, specialising in financial products. His primary degree was a BA in law and sociology from NUIG and this was followed by an LLB and he also holds an MBA from Trinity College and has also achieved an MSc (Economics) from Trinity. In addition, he has graduated with an MA in Public Management from the Institute of Public Administration. He is CEO of the National Milk Agency. Muiris is a published poet and was recipient of the Francis Ledwidge International Poetry Prize in 2003. He is a Director of the Irish Architectural Foundation and of An Taisce - The National Trust for Ireland. He has lectured at the University of Paris 1 - Sorbonne on the common law system and its history and at the Institute of Public Administration on commercial law and corporate law. He is currently the Academic Director of the Irish Institute of Purchasing and Materials Management. He recently successfully completed the Oxford University Fintech program and has a particular interest in data protection, regulation, blockchain applications and associated privacy and IP rights.

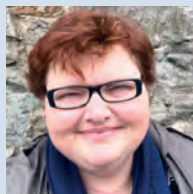
THE CURRENT ICCL BOARD



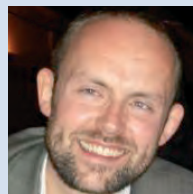
DEIRDRE MILLER - Chair



MARGUERITE BOLGER



SUZY BYRNE



ANDREW FORDE



TONY HANWAY



MARY LAWLOR



MAURICE MANNING



MARIA MURPHY



MUIRIS Ó CEIDIGH

Staff Profiles

LIAM HERRICK

Liam Herrick was appointed to Executive Director of the Irish Council for Civil Liberties (ICCL) in November 2016. Prior to his appointment, he worked as Advisor to President Michael D. Higgins for almost three years. Liam was Executive Director of the Irish Penal Reform Trust (IPRT) between 2007 and 2014. He has also worked as the first head of legislation and policy at the former Irish Human Rights Commission and with the Law Reform Commission and the Department of Foreign Affairs. He is a former member of the Irish Human Rights and Equality Commission (IHREC), a former Board member of the Children's Rights Alliance and the Minister for Justice and Equality's Strategic Review Group on Penal Policy (2012-2014). Liam graduated from University College Cork with a BCL and LLM and from University College Dublin with a Diploma in Human Rights Law.



ELIZABETH FARRIES

Elizabeth Faries is the Information Rights Project Manager for the Irish Council for Civil Liberties together with the International Network of Civil Law Organizations. She is called to the Bar in British Columbia, and has a practice background in litigation, intellectual property, and human rights. She additionally has policy experience with the Canadian provincial government; has provided legal services to indigenous and impoverished clients in criminal, family law, and human rights matters; and has published work with and sat on the executive board of several NGOs. Elizabeth has a BSc and JD from the University of Victoria, a SSHRC funded Masters from the School of Information at the University of Toronto, and is a Frances E. Moran PhD Candidate at Trinity College Dublin's School of Law. Her research interests focus on how women's privacy rights are encroached online. On this and other topics, she has numerous trade, academic, and community publications.



SINÉAD NOLAN

Sinéad Nolan took up her post as Public Engagement and Communications Officer with the ICCL in October 2017. She previously worked with Front Line Defenders, an Irish organisation which provides protection to human rights defenders at risk. Before that, she spent a year working alongside activists at risk in northern Mexico with Peace Brigades International (PBI) and she continues to advocate for the protection of organisations, communities and defenders through PBI Ireland. Sinéad has participated, as a delegate and interpreter, in the Caravana Colombiana, an international delegation of jurists that observes the situation of human rights lawyers in Colombia. She has also worked on the mandate of the UN Special Rapporteur on the situation of human rights defenders. Sinéad holds an MA in International Security and Conflict Studies and has voluntary experience working in homeless services and with sex workers in Dublin.



CHRIS MCCARTIN

Chris McCartin joined the ICCL as an Administrative Officer in September 2017 and is responsible for office operations. Chris has previously provided administrative support to key units in the Department of Public Expenditure and Reform and Department of Foreign Affairs and Trade. Prior to joining the ICCL, he worked with University College Dublin's University Secretariat to support a number of governance and management committees.



Staff Changes

GRACE TIERNEY

In November 2018, we welcomed Grace Tierney on board as Funding Development Officer. Grace previously worked as Fundraising Manager for Suas Educational Development. She attended Trinity College Dublin receiving a BA in Economics and Social Studies and is currently undertaking a Masters of Public Policy at the University College Dublin.



BESAN ABTLI

During the summer of 2018, ICCL was assisted by Besan Abtli who joined us as an intern from Palestine, as sponsored by the Open Society Foundation. A sincere thanks to Besan for all her tremendous work, but particularly on our vox-pop video campaign on the Public Services Card.



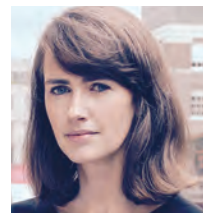
AOIFE MASTERSON

In May 2018 Aoife Masterson, who had been interning at ICCL, took up a part-time post as administrative assistant with ICCL. Aoife provided assistance with our policy work in between taking calls on all kinds of imaginable human rights issues from concerned members of the public.



MAEVE O'ROURKE

Dr. Maeve O'Rourke left ICCL at the end of 2018 in order to take up a position at NUI Galway. Maeve has been a powerhouse for protecting human rights in Ireland, as well as innovating and challenging our understanding of what human rights really mean for people in our everyday lives. We have no doubt that she will continue to be a thought leader and a trailblazer. NUIG are lucky to have her!



Grace, Besan and Aoife joined Liam Herrick, Elizabeth Farries, Chris McCartin and Sinéad Nolan on a dynamic and motivated team.



ICCL staff canvassing for a yes vote in the referendum to repeal the 8th amendment in May 2018.

L-R Sinéad Nolan, Liam Herrick, Maeve O'Rourke, Elizabeth Farries, Aoife Masterson and Chris McCartin.

OUR WORK

IRISH COUNCIL FOR
CIVIL LIBERTIES



Defending **JUSTICE**

Victims' Rights

ICCL is working, along with our partners in the Victims' Rights Alliance, to ensure the full implementation of the EU Victims Directive in Irish law. This means campaigning to put in place policies and processes for effective access to the rights set out under the Directive. This will be secured by successful completion of existing partnership agreements at the national and European levels.

In 2018, we published a guide to the Directive and the Criminal Justice (Victims of Crime) Act 2017

for anyone who will be interacting with victims in the legal system. We launched the guide at a conference with input from Judith Thompson, commissioner for victims and survivors in Northern Ireland, and Margaret Tuite, EU Commission co-ordinator for the rights of the child. A representative from the Seattle-based Courthouse Dogs Foundation spoke about the impact that specially trained court dogs can have in helping particularly vulnerable victims, such as child victims of sexual abuse, to testify in court.

Maria McDonald BL took part in a debate with Mary-Rose Gearty at

The Bar of Ireland on balancing the rights of victims with the rights of suspects on 14 May. Conor Gallagher, journalist with the Irish Times, moderated the debate. The debate was very well-attended by the legal community who will be at the coalface of implementing the Directive.

"In 2018, we published a guide to the Criminal Justice (Victims of Crime) Act 2017 for anyone who will be interacting with victims in the legal system."



Ellen O'Neill-Stephens, Margaret Tuite, Liam Herrick, Celeste Walsen and Maria McDonald BL, pictured at the Victims' Directive Conference in The Bar of Ireland's Distillery Building on Monday, April 6th.

Hate Crime

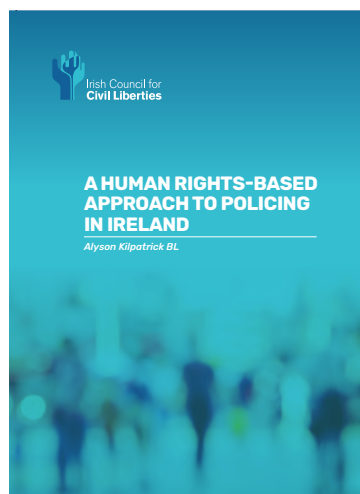
In 2018, ICCL led research into hate crime in five EU jurisdictions. The Life Cycle of a Hate Crime – Comparative Report presents, in detail, the final report which analyses the findings of in-depth primary and secondary research conducted over two years tracing the Lifecycle of a Hate Crime in selected EU Member States. The research was undertaken in five jurisdictions within the EU – the Czech Republic, England and Wales, Ireland, Latvia, and Sweden in which contrasting approaches to addressing hate crime are evident. The report was launched in Brussels in April by MEP Lynn Boylan. It was launched in Ireland in July.

Defending JUSTICE

GARDA REFORM

Guard Our Rights!

Throughout 2018 (and indeed over 40 years of our existence!) ICCL has campaigned for rights-based reform of An Garda Síochána. We made our own submission to the Commission on the Future of Policing in January and we later commissioned Alyson Kilpatrick to write a roadmap for reform. We are very grateful to the Irish Human Rights and Equality Commission for their support of this campaign. Read on to find out more...



"Throughout 2018 (and indeed over 40 years of our existence!) ICCL has campaigned for rights-based reform of An Garda Síochána."

January: ICCL makes submission to Commission on the Future of Policing

We launched the ICCL submission to the CFP, calling for human rights to underpin the reform process, with a public event at Woodquay Venue in Dublin City Council on 30 January. Our intention, which was fulfilled, was to open up a conversation amongst relevant and interested bodies about the benefits and practicalities of ensuring that the Commission on the Future of Policing reform process was underpinned by human rights.

The event featured a panel discussion with Noeline Blackwell from the Commission on the Future of Policing, Judge Mary Ellen Ring from the Garda Síochána Ombudsman Commission, Josephine Feehily of the Policing Authority, Chief Inspector Mark Toland of the Garda Inspectorate and Assistant Commissioner John Twomey of An Garda Síochána.

At this event we also heard from Alyson Kilpatrick, as well as from Dr Maeve O'Rourke, author of the ICCL submission. A heated debate followed, and we were encouraged to see so many representatives of community and grassroots organisations in attendance.

Liam Herrick and Noeline Blackwell spoke to Matt Cooper on the Last Word on 29 January about the necessity for rights-based reform and the event was covered in an Irish Examiner editorial, by Cormac O'Keeffe, and on Irish Legal News. Michael Clifford also produced an in-depth piece in March based on this event.

Our submission to the Commission on the Future of Policing was recognised and well-received by all the main Garda oversight bodies, as well as AGS itself. Thanks to good media coverage, it also reached informed sectors of the public and policy-makers.



Liam Herrick speaking at the launch of ICCL's submission to the Commission on the Future of Policing

Defending JUSTICE

GARDA REFORM

July: ICCL holds public meeting

At the ICCL Annual General Meeting on 18 July, we also held a public event. Our focus this time was different – we wanted to bring in communities which are effected by negative policing, to help ensure their voices were heard during the debate. As such, we invited speakers representing children in the justice system, young working class men, and the Traveller community.

Gareth Noble, a partner at KOD Lyons solicitors, discussed children in the courts system and other state agencies, and their perceptions of Gardai. Fiona Whelan, artist-in-residence at Rialto Youth Project, spoke about her innovative piece “Policing Dialogues” (2010), which aimed to change Garda culture and practice particularly regarding ‘stop and search’ of young people in Dublin’s Inner City. David Joyce, solicitor

and Travellers’ rights advocate, discussed Garda policy (or lack thereof) on issues such as hate crime, as well as discrimination against the Traveller community by Gardai. Alyson Kilpatrick responded to the speakers based on her experiences of human rights based policing in Northern Ireland.

The aim of the event was to tease out, in practical terms, what difference a human rights-based approach to policing could make to members of communities that have negative experiences with An Garda Síochána. The room was packed to the rafters and a lively discussion followed the presentations. Michael Clifford wrote another in-depth piece in the Irish Examiner about it.

This event provided a platform to introduce voices to the debate that are too often overlooked or sidelined. We believe we convinced many in the room of the necessity but also the relative ease of implementing rights-based reform.

September: ICCL publishes Kilpatrick report

On 14 September ICCL launched a report by the former human rights advisor to the Policing Board of Northern Ireland, Alyson Kilpatrick, on why and how a human rights based approach to Garda reform should be implemented. The bulk of the report consisted of a roadmap for implementing a rights-based approach to policing in Ireland.

The publication of Kilpatrick’s report came just days before the anticipated publication of the Commission on the Future of

Policing (CFP) report into the reform process for An Garda Síochána (AGS). The CFP report echoed many of the observations Kilpatrick made and indeed it was also informed by the ICCL submission to the process in January.

For full report of the media coverage, see communications report on p27



ICCL publishes ground breaking guide to implementing human rights reform of Gardai.



Incident on Frederick Street

Two days before we launched the Kilpatrick report, an incident took place which demonstrated once again to the Irish public that An Garda Síochána was not carrying out human rights impact assessments, or indeed considering human rights at all during the course of policing the country. Balaclava-clad police from the public order unit arrived, accompanying balaclava-clad private security agents, to carry out a civil eviction of a protest group who were occupying a vacant building to highlight the housing crisis in Dublin. Unrest followed and five people were arrested.

We released a statement and the Garda commissioner later publicly requested a report on the incident, in line with our calls.

The following week, when the Minister for Justice announced his support for outlawing the recording of police in the course of their duties, our statement in response also received good coverage.

Our response to this incident galvanised a section of the Irish public which is politicised and eager to use protest as a form of pursuing change in Irish society. Our legal expertise was important from this point of view.

Defending **JUSTICE**

Deprivation of Liberty

Ireland has a long history of failing to prevent widespread arbitrary detention and mistreatment of people who depend on others and/or the State for care. The past few decades have been marked by repeated investigations into, and political and public expressions of alarm about, the State's practice of supporting and allowing the care of adults and children in systems that are inadequately regulated, and in which there are weak or non-existent mechanisms for respecting individual rights and ensuring that complaints are heard and responded to. Successive governments have been pleaded with to provide sufficient alternatives to institutional care so that people are enabled to live independently and included in the community.

In 2018, ICCL welcomed the State's long-overdue effort to establish legal safeguards to protect the rights of individuals who are or may be deprived of their liberty in care settings.

Unfortunately, the Department of Health's preliminary draft Heads of Bill on deprivation of liberty were seriously inadequate to ensure adequate protection from arbitrary detention and mistreatment in care settings.

ICCL made a submission highlighting that the draft Heads of Bill fail to provide a number of safeguards which are necessary in order to comply with Ireland's obligations under numerous human rights instruments, including the Irish Constitution, the European Convention on Human Rights (ECHR), the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and other international treaties.



Institutional Abuse

Throughout 2018, ICCL supported various calls for transitional justice for survivors of so-called historic, or institutional, abuse. We called for a full exhumation at Tuam and government announced this some months later. We demanded that the last of the Magdalene Laundries not be sold to a hotel chain, but rather preserved and opened as a place of remembrance in line with the wishes of survivors. We also called on the state to provide information and answers to all those affected by the illegal adoption system which was in place in Ireland in the 20th century. Further we made a symbolic statement on the International Day of the Disappeared on the government's obligations to victims of enforced disappearances in the system of forced confinement and coercion which was widespread in Ireland.

"Throughout 2018, ICCL supported various calls for transitional justice for survivors of so-called historic, or institutional, abuse. We called for a full exhumation at Tuam and government announced this some months later."

Inside Police Custody

In 2018, ICCL led research in nine European Union (EU) member states, examining the rights of suspects and accused persons – the right to interpretation and translation, the right to information, and the right of access to a lawyer – as they are applied and experienced in practice at the investigative stage of the criminal process. The research culminated in a report entitled Inside Police Custody which was launched in Brussels in December.

Deepening **EQUALITY**

REPEALING THE 8TH

The overwhelming vote of the Irish people on 25 May to repeal the 8th Amendment was a watershed moment for human rights and equality in Ireland. Many of ICCL's members have played key roles in the long battle against the 8th over the past 35 years. Indeed, ICCL membership fees support our political work, including when we take a position on a referendum question. Here we set out the specific activities which we have undertaken to contribute to this historic moment.



Sinéad Nolan and Elizabeth Farries on International Women's Day.



ICCL's history of campaigning for reproductive rights

The ICCL opposed the 8th Amendment to the Constitution in 1983 on the grounds that it would cause confusion and be unworkable in practice, and that it would not prevent women living in Ireland from needing and seeking abortions. In 1992 the ICCL opposed the referendum proposal to prohibit abortion where a woman's life was at risk by suicide, and supported the constitutional amendments that guaranteed the freedom to travel and the freedom to impart and obtain information about abortion services abroad. The ICCL published a detailed policy paper in 2001 arguing against a further proposed constitutional amendment to prohibit abortion in cases of suicide risk. The paper criticised the

government's failure to address honestly the needs of the thousands of women who travelled abroad each year for abortion and the discrimination suffered by women and girls who were unable to travel.

In recent years the ICCL has made submissions to the UN Human Rights Council, the UN Human Rights Committee, the UN Committee on the Elimination of Discrimination Against Women and the UN Committee Against Torture calling for the repeal of Article 40.3.3 of the Constitution, the decriminalisation of abortion, and the introduction of legislation providing for access to abortion in Ireland. The ICCL's submission to the Citizens' Assembly in 2016 is available [here](#).

We published a position paper on the 8th Amendment in 2017.

Deepening **EQUALITY**

REPEALING THE 8TH



Liam Herrick (right) at launch of Lawyers for Yes

The International Network of Civil Liberties Organisations (INCLO)

ICCL was a founder member of INCLO in 2013 and one of the pillar areas of work of the network is Religious Freedom and Equal Treatment. Under that pillar, INCLO has taken a particular interest in the issue of abortion rights and ICCL hosted an international convention on abortion rights in Dublin in November 2017. The timing of the event allowed a platform for international activists and experts to share their experiences and perspectives in advance of the final report of the Joint Oireachtas Committee on the 8th Amendment. Our international colleagues also had the opportunity to meet with leading Irish activists and members of the Oireachtas during the event.

"ICCL was a founder member of INCLO in 2013 and one of the pillar areas of work of the Network is Religious Freedom and Equal Treatment."

ICCL and the Coalition to Repeal the Eighth

ICCL was a founder member of the Coalition to Repeal the Eighth in 2015 and provided logistical support to the Coalition in its early phases. We have played an active part in the Coalition's work at all stages. In February 2018, as the Government committed to holding a referendum for repeal the Coalition to Repeal the Eighth joined with the National Women's Council of Ireland and the Abortion Rights Campaign to form Together For Yes as the campaigning body for the referendum. Together for Yes was launched in March with ICCL as a member of its platform of civil society organisations. ICCL actively participated in the campaign platform and director Liam Herrick spoke at the Cork launch of Together for Yes.



Funding the Referendum Campaign

Once the proposition for the Referendum was published, the Executive of the ICCL Members Association registered as a Third Party for the period of the Referendum. In line with the requirements of the Electoral Acts, by registering as a Third Party which would campaign in the referendum, the ICCL Members Association was committing that only authorised donations could be used to fund any activities which were aimed at supporting a particular outcome in the referendum. Only ICCL members' fees were used to fund our campaign activities – these being of an order of €40 per person and all from Irish citizens. By registering the ICCL Members Association as a Third Party (as ICCL has done in previous referendums), we separated our campaign activities from the other non-political work of ICCL, including our charitable work and our work which is funded by trusts and foundations.

BELOW: Prof. Fiona de Londras with former CEDAW chair Frances Raday and Liam Herrick in 2017

Deepening **EQUALITY**

REPEALING THE 8TH

ICCL's campaign

ICCL launched our own campaign *Her Rights*, which focused on the human rights impact of the referendum over the past 35 years.

ICCL also joined with members of the legal professions and Lawyers for Choice to work with the sub-group *Lawyers for Yes*, which acted as the legal arm of the overall Together for Yes Campaign. Together with these groups, ICCL provided legal comment and analysis through the campaign. Liam Herrick provided comment at a press conference on 30 April and spoke at a briefing for members of the Oireachtas on 2 May.

In the final week of the campaign, ICCL hosted a multi-media public



Liam Herrick and Pauline Conroy at Under the 8th

event at Smock Alley theatre, entitled *Under the 8th* which recalled the history of the 8th from 1983 and celebrated the role of the key leading activists who have led the fight against the amendment – including Pauline Conroy, Justice Catherine McGuinness, Ivana Bacik, Catherine Forde and Máiréad Enright.

During the course of the referendum, a number of issues emerged about restrictions on artistic freedom of expression, whereby visual artists and writers



Anna Cosgrave and Leanne Woodfull at Under the 8th



Catherine McGuinness at Under the 8th



Fiona de Londras and Minister Katherine Zappone at Under the 8th

Deepening **EQUALITY**

REPEALING THE 8TH

had events or works censored, restricted or cancelled due to their political content. ICCL led the resistance to these developments. We issued a policy paper on freedom of artistic and political expression and we publicly launched this paper by commissioning our own mural. We unveiled this mural a week before the Referendum, and leading members of the arts community, including poet Paula Meehan and Project Arts Centre's Cian O'Brien, spoke at the invigorating event in Phibsboro.

"We issued a policy paper on freedom of artistic and political expression and we publicly launched this paper by commissioning our own mural."

RIGHT: our commissioned mural calling for REPEAL
INSET: Orla O'Connor, artist Garreth Joyce and Paula Meehan at unveiling of Rosaleen the Repealer

Work for the Future

In the afterglow of the result, ICCL is continuing to work with partner organisations, including the Irish Family Planning Association and the National Women's Council, to ensure that the legislation is compliant with human rights standards. As we have done since our foundation, ICCL will continue to work for women's rights including reproductive rights.

In 2018 we launched a project aimed at protecting and widening the space within which civil society can operate. This aims, amongst other issues, at reform of the Electoral Acts of 2001, at protecting artistic and political freedom of expression during referendum periods, and at reform of the Charities Act so that it includes human rights work as a charitable purpose.



Strengthening **HUMAN RIGHTS**

Activism, Protest and Civil Society

At the global level, the single greatest threat to human rights is suppression of dissent and activism by repressive Governments. Generally described as the problem of “shrinking civic space”, in every region of the world there has been a growing crisis for freedom of association and the associated rights to freedom of expression and assembly by civil society and activists.

Over the past number of years, it has become clear that the space for Irish civil society, much as in the international sphere, is also under threat. The Charities Regulator ordered an arts institution to remove a piece of art it deemed political from its exterior wall. The regulator for public offices has been ordering non-governmental organisations to return international funding. Gardaí wearing balaclavas turned up to a housing protest and hospitalised five people. The Minister for Justice’s response to this issue was to suggest that he might outlaw the recording of gardaí on duty.

In 2018, ICCL was at the forefront of the opposition to these incidents.



Electoral Integrity

We have been leading the Coalition for Civil Society Freedom in calling for reform of the Electoral Act. The Electoral Act was badly drafted back in 2001 when we opposed it on the grounds that, in a legitimate attempt to curb foreign influence on our electoral system, it would also interfere with domestic NGOs’ advocacy work. This hypothesis has proven correct and many NGOs and charities have been struggling with bureaucracy around funding. Others have been struggling with legal cases. Still others have had

to wind down owing to the pressure on them. All of this has a serious chilling effect on community and voluntary organisations, as well as more established NGOs. The Coalition for Civil Society Freedom has the support of over 60 organisations and a bill for amending the Act was passing through the Oireachtas as 2018 drew to a close.

Michael Barron
of EQUATE, Val Heller
of the EU Fundamental
Rights Agency
and April Duff of
Education Equality.



Project Arts Centre’s “defiant compliance” with the Charities Regulator order to remove Maser’s mural for Repeal from its wall.

Censorship

We strongly condemned the Charities Regulator’s actions against Project Arts Centre and we produced a policy paper outlining why, legally, the State should have been protecting rather than censoring Maser’s repeal the 8th mural. Then we commissioned our own mural calling for REPEAL (see Left) which we unveiled the week before the referendum to repeal the 8th Amendment.

Strengthening **HUMAN RIGHTS**

Freedom of Assembly

In the face of Garda heavy-handedness towards protest, ICCL condemned the use of balaclavas during a peaceful protest. Our statement was widely covered and drew a response from the Garda Commissioner. We were also quick to reject the Minister for Justice's suggestion that a response to this incident could include criminal sanctions for people recording gardaí during the course of their duties. Both statements formed part of our overall campaign for rights-based reform of An Garda Síochána which will continue into 2019.

We're also working hard with our international partners to protect the right to protest globally. ICCL attended a consultation with the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association to inform his thematic report, 'The rights to freedom of peaceful assembly and of association in the digital age'. Supported by INCLO, we sought to raise awareness about the increasing use of online surveillance technologies by policing institutions against protests and protesters. We called on the Special Rapporteur to address this issue in his thematic report and provide much needed guidance to Member States and other stakeholders towards ensuring compliance with international human rights law.

In 2019, we will be working closely with protesters to find out how ICCL can best meet their needs in a society which knows and understands the power of protest.



Stixy Nyaluso (MASI) with Maeve O'Rourke at launch of ICCL interim report to UN Committee Against Torture

Prevention of Torture: OPCAT

Places where people are detained against their will are widely recognised as places where torture is more likely to occur. Ireland has signed a UN protocol which stipulates independent inspection of detention facilities in order to prevent torture, but we have not yet ratified it. Ireland is one of a tiny number of EU states which have not established a National Preventive Mechanism as required by the protocol.

Following up on our report to the UN Committee Against Torture in 2017, we wrote another report in 2018, highlighting our three areas of concern:

- The continued failure of government to ratify OPCAT and provide for inspection to all places of detention in Ireland, including *de facto* detention in health and social care settings, and in Direct Provision.
- Inadequacies in the Garda

complaints mechanism, and the secrecy surrounding investigations into Garda misconduct.

- Government's assertion that it knows of "no credible evidence" that systematic torture took place in Magdalene laundries. We called for a truth-telling process which would lead to proper accountability and redress.

ICCL launched this report at the Dublin Human Rights Festival along with Stixy Nyaluso of the Movement of Asylum Seekers in Ireland. Stixy spoke very movingly about the restrictions placed on those living in Direct Provision – that sometimes it can feel "just like a prison".

We also took advantage of media opportunities on the International Day Against Torture to raise awareness of government's failure to ratify OPCAT. ICCL provided comment throughout the year to journalists covering rights abuses in detention. See more in the communications report on p32

Strengthening **HUMAN RIGHTS**

Freedom of Expression: Blasphemy referendum

Another significant victory for human rights in Ireland in 2018 was the popular vote to remove blasphemy as a Constitutional offence. The victory is an important step for free speech and the modernisation of our democracy, and brings Ireland into line with international best practice in human rights, as called for by the

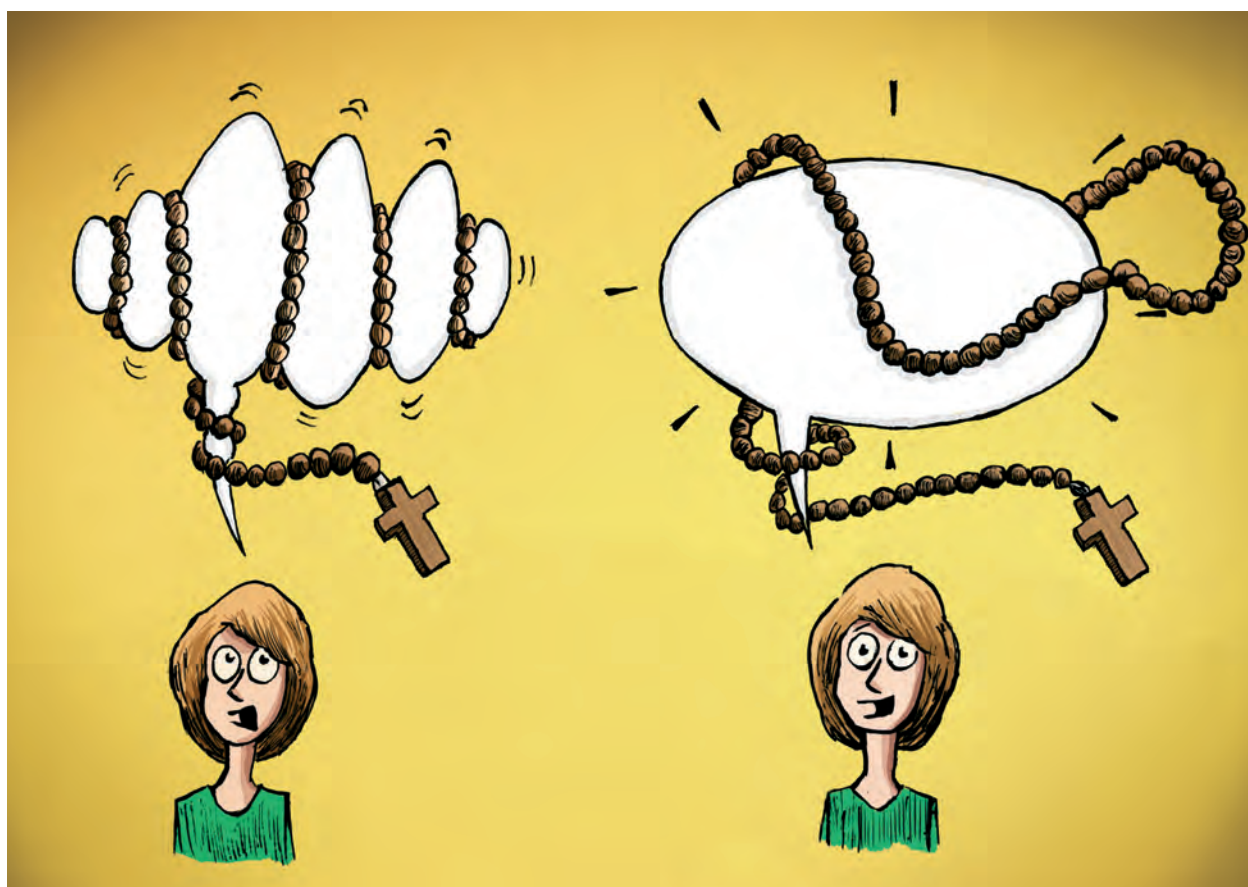
UN Human Rights Committee. During the ICCL campaign for a Yes vote, our guiding principle was respect for freedom of expression. We worked together with our allies in favour of free speech and presented a unified and convincing argument for a yes vote. We produced a policy statement which principally argued that the removal of blasphemy was essential for freedom of expression. However, we also argued that the right to free speech is not absolute and should

be limited to the degree necessary to protect people from hate- and hostility-motivated crime.

Hate crime is something which is entirely different to blasphemy as it is directed towards individuals or groups, rather than ideas or institutions. There is no legislation in place to deal with hate crime in Ireland at the moment.

ICCL continues to work on hate crime as a key policy piece.

"The victory is an important step for free speech and the modernisation of our democracy, and brings Ireland into line with international best practice in human rights, as called for by the UN Human Rights Committee."



Cartoonist Harry Burton responds to the yes vote in the Blasphemy referendum

Protecting **INFORMATION & PRIVACY RIGHTS**

Ireland is a key location for the protection of privacy rights given its role as a global data hub and multiple domestic privacy issues. ICCL continues to consolidate our position as a thought leader in this area.



Siobhan Cumiskey of facebook with Craig Dwyer of Transparent Referendum Initiative and Elizabeth Farries of ICCL.

ICCL in a global technology hub

We have opened conversations with all of the Dublin-based internet giants regarding opportunities to prioritise human rights in their platform operations. We met with facebook and discussed electoral integrity and content moderation during the abortion referendum. We also held a public debate with facebook on the issue of content moderation versus free speech and their role as arbiters

at the Dublin Human Rights Festival. We have had initial meetings with google regarding their use of artificial intelligence and machine learning. We have similarly had meetings with Twitter regarding data protection and harvesting, content moderation and freedom of expression. All have confirmed their interest in attending an event produced by ICCL on the interplay between big tech and human rights.

"We have opened conversations with all of the Dublin-based internet giants regarding opportunities to prioritise human rights in their platform operations."

Protecting **INFORMATION** & **PRIVACY RIGHTS**

PUBLIC SERVICES CARD

Our campaign against the (illegal) roll-out of the PSC continues.

Political Campaign

In 2018, we continually lobbied politicians through the use of parliamentary questions. We also made a submission to the Joint Oireachtas Committee on Employment Affairs detailing the myriad of problems with card. March saw us advise members of Donegal County Council on best practice in the area.

Legal Action

By February, we'd already received a legal opinion from the US and from VAS. In March we received news that Access Now would support us to litigate against the card and we began building a database of people who had been impacted by it. In December the Digital Freedom Fund

also invited us to explore funding opportunities for litigation.

We put members of the public in touch with privacy rights solicitors when they rang us to complain of being forced to surrender their private biometric data to the State in return for essential services. In August we located a suitable plaintiff for legal action, and also secured a suitable legal professional in the form of Fred Logue.

In September we checked in with the Data Protection Commission as it had been a full year since they formally commenced their investigation into the legal basis for the card. Despite originally committing to a spring investigation conclusion timeline, they would not commit to a concluding date. In the fall they sent a preliminary report to the Department who refused to

release the report to us on public interest grounds.

Building Public Support

We built support for our campaign amongst the public. ICCL took to the streets in August and made a vox-pop video response. We also launched a petition against the card. Media coverage of our actions continued throughout the year. Support for our campaign was such that we set up a separate mailing list and are using this issue as a hook to raise awareness of our work on privacy in general.

"We made a submission to the Joint Oireachtas Committee on Employment Affairs detailing the myriad of problems with card."



Sinead Nolan, Elizabeth Farries and Besan Abtli preparing to record a vox-pop on the Public Services Card.

Protecting **INFORMATION** & **PRIVACY RIGHTS**

General Data Protection Regulation

One of the most significant administrative achievements of 2018 was achieving General Data Protection Regulation compliance by 25 May, the date which the new privacy legislation came into force across the EU.

We did this by establishing a working group which ensured ICCL continued to meet high data protection standards which had been in place before the law came into force. The working group mapped out how personal data travelled through ICCL information systems and checked that all processing was fair, lawful and allowed. Chris McCartin attended training events hosted by the Wheel and other organisation where administrators could meet, learn and share their about preparations for GDPR compliance. Chris created and implemented the new administrative practices required under GDPR such as privacy impact assessments, procedures for data subject requests and data breach response plans.

Our GDPR-compliant privacy statement is available on the ICCL website.

Reform of data protection and privacy laws

Legislation is lagging behind technological advances and the impact these advances frequently have on the fundamental right to privacy. ICCL continues to advise politicians where they are making moves towards reform.

Mass Surveillance still allowed under Communications (Retention of Data) Act

In January the Joint Oireachtas Committee accepted our recommendations regarding the Data Retention Act to ensure would be rights-compliant. However, the Committee has still not reformed the law. In December Graham Dwyer won an appeal against the State because the law (which gardai had used in order to access his phone records) did not comply with EU human rights standards. We provided information to media for some in-depth analysis of the implications.

Content moderation bills raise concerns for rights

In November, with Civicus, we submitted an opinion on the Digital Safety Commissioner Bill to the Oireachtas Communications Committee and IHREC. In it, we named our concerns that the bill was incompatible with Ireland's obligations to privacy, freedom of expression, and associated rights. Like the Committee, we worried about the ability and will of internet giants to self-regulate. However, we also stressed that proposed mechanisms used to protect the public must avoid further unintended rights harming consequences.



What will be considered political under the Online Political Advertising Bill?

ICCL submitted a paper to the governmental consultation on the Online Political Advertising Bill. We recognised the importance of protecting elections and referendums from mis- and disinformation but we also stressed the added importance of free speech at these times. We called for the reform of the Electoral Act.

Data Protection Bill to implement GDPR: fit for purpose?

The first half of the year saw us table numerous amendments to the Data Protection Bill which was intended to implement the EU's General Data Protection Regulation. We also highlighted our amendments in the media, because in our view the law was not fit for purpose.

Data Sharing and Governance Bill

In October we wrote to the Irish Times regarding [our concerns](#) about the sharing of personal information between State bodies which would be facilitated by the above bill. We had received a legal analysis from a member of our Board and privacy rights experts. We had also circulated amendments to members of the Oireachtas when the bill passed through the Dáil.

Protecting **INFORMATION** & **PRIVACY RIGHTS**



Tommaso Falchetta of Privacy International, UN Special Rapporteur Fionnuala Ni Aolain, Elizabeth Farries and Liam Herrick at UNSR lecture.

International work on Surveillance and Privacy Rights

Access to Information

ICCL took part in an ongoing information-gathering project on the extent of intelligence-sharing taking place between states in our attempt to shine light on the intelligence sharing practices and agreements between different intelligence agencies around the world. The Irish response to our requests for information was one of stony silence and even defensiveness.

Unanswered Questions – International Intelligence Sharing

The ICCL launched a report in Dublin in November at an event with the UN Special Rapporteur, along with a brochure developed with Privacy International. We detail insufficient domestic laws that govern intelligence sharing partnerships and the way in which agencies operate. We further explain how there is insufficient oversight,

review, and a lack of transparency to the existing agreements.

Digital Security

ICCL lead the way in becoming more digitally secure with kind assistance from the Egyptian Initiative for Personal Rights and Front Line Defenders. Our Information Rights Project Manager also arranged for expert technologists to visit the various INCLO members. We are only as secure as our weakest link! We also promote the use of secure communications methods endorsed by our HCLU colleagues.

Mass Surveillance

ICCL was part of the conglomerate of NGOs which took the UK to the European Court of Human Rights over its bulk surveillance laws which allow it to intercept private data. INCLO produced a statement welcoming the September victory and we continue to support the referral application to the Grand Chamber, filed to articulate legal limits on bulk surveillance.

Encryption Rights

Together with our INCLO partners, we made a submission to the UN Special Rapporteur on Privacy for his report on Privacy in a Digital Age. We emphasised the need for encryption, echoing a letter we had previously sent to the tech giants asking them to condemn the crackdown on encryption in Russia.

Gendered Surveillance

The ICCL also made a submission to the UN Special Rapporteur on Privacy regarding the Irish experience of gendered surveillance, harassment and violence online, including the problem of image-based sexual abuse.

International Bodies

ICCL, through INCLO, engaged with the United Nations, with the African Commission on Human and People's Rights and the Inter-American Commission on Human Rights, in order to keep privacy rights and their protection at the top of the agenda.

COMMUNICATIONS REPORT

IRISH COUNCIL FOR
CIVIL LIBERTIES



Communications and Public Engagement Report

Public Engagement

In 2018, ICCL strengthened our programme of engagement with the general public and particularly activists.

Members

Members continue to receive “first dibs” on tickets to all of our events and two newsletters a year in the post. We also encourage them to attend our AGM to help shape ICCL policy.

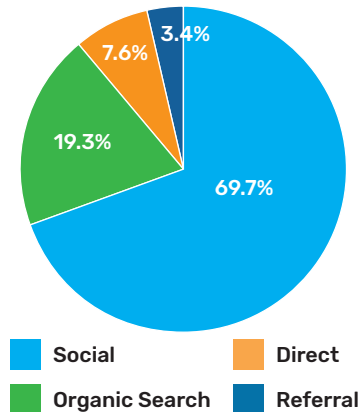
Website

In 2018, we made yet more improvements to our website. The below graph shows the number website number of daily users of ICCL website. Spikes are seen around our comments on the Day of the Disappeared, Frederick St and the release of the Kilpatrick report.

Social media

Social media also made it easy for us to communicate our main messages to our supporters. Our following on Twitter grew to over 8,000 and on facebook we have over 2,000 followers. We also re-established our Instagram account with a view to engaging artists and young people in 2019.

The graph below shows how important our social media is for feeding our website acquisition.



E-mail campaigning

Our e-bulletin list now has over 1,000 subscribers. Some of these subscribers are also signed up to our bulletin on privacy rights. This particular segment has a phenomenal open-rate of 68%, showing just how relevant this part of our work is for our audience.

Public Campaigns

In 2018, we carried petitions for reform of the Electoral Act and to block the roll-out of the Public Services Card. Given the success of these campaigns, we will be continuing to link all of our policy work to action-driven campaigns such as these.



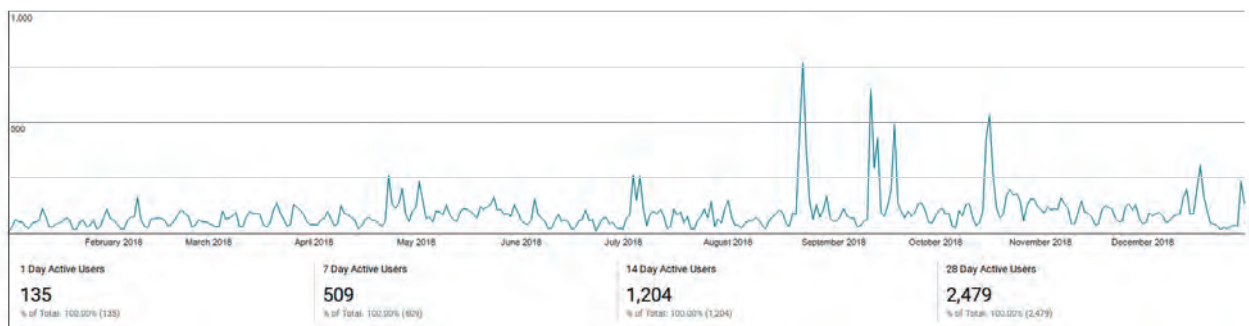
Michael Farrell with Prof Fionnuala Ni Aolain and Martina Feeney.

Public Events

We held twelve public-facing events in 2018. Three of these focused on garda reform, two focused on the Eighth Amendment and two focused on victims' rights. We launched two reports in Brussels, and we launched our policy piece on hate crime in Dublin. We also hosted the UN Special Rapporteur Fionnuala Ni Aolain and held two talks (on privacy and on prevention of torture) at the Dublin Human Rights Festival.

Media

During 2018, we concentrated our engagement efforts with all of our audiences (including members, supporters, general public and policy-makers) on the media.



Active website users during 2018

Media Report

Defending Justice

Policing and Garda Reform

On 29 January, Liam Herrick spoke to Matt Cooper on the Last Word about the need for garda reform. That week the Irish Examiner and Irish Legal News carried articles discussing the launch of our submission to the Commission on the Future of Policing which included a call for human rights officers to be appointed to every area of policing. On 5 March, the Irish Examiner mentioned the same submission in an article on difficulties with discipline in An Garda Síochána.

On 15 March, Liam Herrick spoke to a number of radio journalists (Sean O'Rourke, Ciara Kelly, and Matt Cooper) with regard to the sentencing in the Martin Keenan case and the Defence of the Dwelling Act. The Irish Independent ran two stories (March 15 and 17 respectively) with regards to ICCL's concerns about the Act, and its potential encouragement of lethal force.

In the week of 18 June ICCL was quoted in articles by RTE and the Irish Legal News referring to the collapse of a criminal trial into the murder of David Black in Belfast over unsafe evidence. Dr. Maeve O'Rourke appeared on RTE news, calling for the findings from an investigation into the matter be made public.

On 8 July in the Sunday Business Post, ICCL outlined our misgivings about the mooted privately funded unit of the gardai dedicated to investigating insurance fraud.

On 20 August, the Irish Examiner included a quote from ICCL in their article on the same subject.

On 26 July, Mick Clifford of the Irish Examiner covered our Visions from the Community event on garda reform.

On 1 September, the Irish Times published an article with regards to our stance that the appointment of Drew Harris, a former PSNI officer, as Garda commissioner should coincide with the introduction of effective oversight procedures for national security in the State.

On 14 September, the launch of the Kilpatrick report coincided with a controversial eviction and protest on North Frederick St in Dublin. Joe, ie, The Irish Examiner, Irish Legal News, The Business Post, and The Irish Times all mentioned ICCL in their coverage of the incident and our call for a garda report on its

The Irish Times, RTE, KFM, the Irish Mirror and The Journal all covered the launch of the ICCL Kilpatrick report, and our call for the implementation of human rights-based policing.

handling of the protest. Civicus also reported on the North Frederick St incident and wider policing concerns, and included an ICCL tweet and quote from Elizabeth



Above: Alyson Kilpatrick on the Six One News
Below: Liam Herrick on the Six One News



Media Report

Defending Justice



On 8 October Irish Legal News reported that 1,600 incidents of pepper spraying by gardai went unreported. The article featured a quote from Liam Herrick voicing ICCL's concern.

Farries. Our opposition to the Minister for Justice's suggestion to ban the recording of gardai on duty was widely covered.

The Irish Times, RTE, KFM, the Irish Mirror and The Journal all covered the launch of the ICCL Kilpatrick report, and our call for the implementation of human rights-based policing. On 8 October Irish Legal News reported that 1,600 incidents of pepper spraying by gardai went unreported. The article featured a quote from Liam Herrick voicing ICCL's concern. This story and our response were also covered by the Irish Times.

In its coverage of the government's

four year high level plan for implementation of the Commission on the Future of Policing report, breakingnews.ie included ICCL's welcoming of the publication as well as our calls for human rights to be a focus in every aspect of Garda reform.

The Independent ran an article on the controversial eviction in Strokestown, Co Roscommon and included a quote from Liam Herrick as to the role of gardai in the execution of public orders.

Victims' Rights

On 22 February, Maria McDonald spoke to Ciara Kelly on Newstalk about the publication of a guide to the EU Victims' Directive on EU Victims' Day.

The Irish Times, Irish Legal News, Irish Examiner, and Irish Independent all covered a conference hosted by ICCL on 9 April to discuss best practice in the implementation of the EU Victims' Directive. Maria McDonald spoke to Pat Kenny and Matt Cooper. The

conference was also covered by TV3 and RTE news. Newstalk and Today FM carried it on their news bulletins. Drivetime and RTE News 2day (for children) interviewed Celeste and Ellen of Courthouse Dogs and Sean O'Rourke interviewed Judith Thompson. Morning Ireland interviewed RCNI that morning and the conference got a lengthy mention.

On 2 May, the Irish Legal News covered a debate hosted by ICCL, during which barristers were set to consider how the "seemingly opposing sets of rights" of the accused and the accuser can be balanced in the Irish legal system.

On 22 May, the Journal and the Irish Independent covered ICCL's support for judges to receive sentencing guidelines.

The Irish Times, Irish Legal News, Irish Examiner, and Irish Independent all covered a conference hosted by ICCL on 9 April to discuss best practice in the implementation of the EU Victims' Directive.



Ellen O'Neill-Stephens, Courthouse Dog Foundation; Jennifer Dowler, Dogs for the Disabled; Celeste Walsen, Courthouse Dog Foundation; and Maria McDonald, Victims' Rights Alliance, with golden retriever Isabel at the Victims' Directive Conference in the Bar of Ireland's Distillery Building yesterday. Picture: Conor McCabe

Media Report

Deepening Equality

Equality for all

On 9 March, Liam Herrick was quoted in an Irish Examiner article, calling for the government to show its commitment to the rights of people with disabilities in real terms.

In an article covering racist comments made by Presidential candidate Peter Casey about the Traveller community, the Irish Times included a quote from Liam Herrick on protecting freedom of speech while preventing hate speech. The Independent also covered the Peter Casey story, and included a quote from Liam Herrick outlining the importance of the recognition of the ethnic status of the Traveller community. Rosaleen McDonagh's article in the Irish Times on Traveller ethnic status in the face of Peter Casey's comments mentioned the years-long campaign work that ICCL and other organisations in coalition did for Traveller ethnic status.

Joe.ie covered President Donald Trump's threat to remove birthright citizenship in the US. The article mentioned ICCL's opposition to the 2004 Constitutional amendment which stripped people of birthright citizenship. In October, Liam went on the Last Word with regard to Eric Zhi Ying Xue and his threatened deportation.

Referendum to Repeal the 8th

In late April and early May, the coverage of the ICCL yes campaign focused on issues surrounding censorship and funding of the campaign. On 21 April, the Irish Times, the Irish Examiner,

TheJournal.ie, RTE, The Times UK, breakingnews.ie, The Irish Legal News, The Irish Times, and The Evening Echo all covered our response to the removal of Maser's REPEAL mural from Project Arts Centre. On the same day, ICCL was mentioned in a Times Ireland article on the Together for Yes request for Facebook to remove a smear campaign funded by Repeal the 8th Funding. This blog was run by anonymous anti-abortion activists.

On 13 May the Irish Times covered ICCL's opposition to the Arts Council warning to organisations not to use public money as part of their referendum campaigns. Similarly on 24 May, the Irish Examiner mentioned ICCL's comments that the censorship of the Maser Repeal mural had a "chilling effect" in an article about unregulated advertising during the Repeal the 8th campaign. On 18 May the Irish Times reported on the unveiling of our Rosaleen the Repealer mural and our position that censorship of the arts is legally "highly questionable".

Following the outcome of the referendum, ICCL was mentioned in RSI's (and Italian news site) coverage of the outcome. On the radio, TodayFM mentioned our welcome of the result in a news bulletin about human rights groups reaction. The accompanying article mentioned our campaign extensively, quoted Liam Herrick, and included one of our tweets. The same was covered by Newstalk. On 18 September Newstalk cited Liam Herrick when the bill amending the Constitution was signed in to law.

Cervical Check Scandal

BreakingNews.ie and the Irish Examiner published articles about the cervical check scandal, both citing ICCL's call for a public investigation. On 3 May, Liam Herrick spoke to Morning Ireland and Vicky Phelan echoed the ICCL call for a full public inquiry. RTE covered our call for a prompt and public investigation throughout the day. Liam Herrick appeared on the Nine O'Clock News to discuss potential human rights issues at stake in the controversy and the need for an effective model for the investigation into the matter.

Sexual Violence

The Irish Independent covered ICCL's support of Justice Minister Charlie Flanagan's suggestion that protocols could be introduced for lawyers on clothing used as evidence in rape trials.

Hate Crime

RTE, The Irish Times, The Journal, Newstalk, The Irish Mirror, The Irish Examiner, breakingnews.ie, and buzz.ie all covered ICCL's Lifecycle of a Hate Crime report launch on 4 July. There was broadcast coverage of the report on KFM, Highland Radio, Morning Ireland, Last Word, and Drivetime. The Irish Times again covered the report on 10 August in an article with regards to the launch of the national transport anti-racism campaign.

Media Report

Strengthening Human Rights

Civil Society and the Electoral Act

In January, ICCL was quoted in a number of articles about the role of the community and voluntary sector in Ireland. The Irish Times and Irish Legal News, on January 20 and 22 respectively, wrote about ICCL and other organisations' concerns about stricter applications of the Electoral Act. On 28 January both the Irish Times and The Independent (UK) wrote about so-called "gag orders" issued to homeless charities. Liam Herrick was quoted in both articles arguing that it is essential that groups in receipt of state funding are able to continue to act as advocacy groups.

In March, Liam Herrick was quoted in a Sunday Business Post article on the higher level of enforcement by SIPOC in recent years. In addition, RTE mentioned ICCL's position on the importance of international funding for Irish civil society organisations. RTE stated that organisations like the ICCL "play a vital role in promoting human rights and fundamental freedoms."

On 31 July, Liam Herrick wrote an op-ed in the Irish Times outlining how the outcome of the Amnesty v SIPOC case highlighted the flaws in the Electoral Act, and how the law was being used to shut down organisations which hold politicians to account. Also on that day, Liam Herrick appeared on the Six One and Nine O'clock News commenting on the case. On 15 August, Maeve O'Rourke spoke to Morning Ireland about the Electoral Act. Also on that day, the Irish Times mentioned our call to reform the Electoral

Act in an article arguing for it to be strengthened rather than reformed. On 25 August, the Irish Times ran our letter in response to the article. The letter argues that the legislation, if applied as written, violates civil society freedoms and democratic norms.

Following our 11 October event on the Electoral Act, the Irish Times ran an article about EQUATE's closure and cited ICCL's concerns that the EQUATE experience raised much wider issues facing civil society organisations in Ireland. Liam Herrick penned an article for SIPTU outlining the growing issue of restrictions on civil society organisations. Additionally, Liberties news ran an article written by Sinéad Nolan about ICCL's work in coalition with other civil society organisations on the Electoral Act. The Sunday Business Post also ran an article on the EQUATE closure.

On 28 December, the Irish Examiner published our letter which was signed by 60 civil society organisations and sent to the Taoiseach about reforms needed to the 1997 Electoral Act.

Group against Baptism bar derailed after complaints

Equate complains of campaign from groups opposed to making schools more inclusive

By Maeve O'Rourke, 15.12.18, 33.10

Carl O'Brien



Director of Equity Michael Barron with Minister for Education Richard Brannan at a school admissions conference organised by Equate last year. Photograph: Cyril Byrne/The Irish Times

A civil society group which lobbied in favour of removing the so-called Baptism barrier from Irish schools says a campaign of "groundless" complaints was partially to blame for its shutdown.

Institutional Abuse and Restorative Justice

On 14 February, Dr. Maeve O'Rourke spoke to the Late Debate regarding the Ombudsman's Magdalene Laundry Report. On 21 February, the Irish Examiner published an op-ed by Maeve about the lack of restorative justice for victims of mother and baby homes. In May, she spoke to Ivan Yates to talk about the issue of illegal adoption. On 3 June, Maeve was mentioned in an RTE article with regards to the widening of the Magdalene Restorative Justice scheme. She also appeared on the Six One and Nine O'clock News. On 5 June, she was mentioned in an Irish Times article covering President Higgins' special reception for women who worked in the Magdalene Laundries. On that day Maeve also appeared on Today Sean O'Rourke and PrimeTime with regards to the widening of the Magdalene Restorative Justice scheme. On 25 August, Maeve appeared on Channel 4 News speaking about the Magdalene Laundries and the need for accountability in anticipation of the Pope's visit to Ireland.

30 August marked the UN International Day of the Victims of Enforced Disappearances and a number of news outlets covered our call for the state to meet international obligations surrounding Mother and Baby Homes. Liam Herrick spoke to Morning Ireland and LMFM on the subject and The Irish Examiner, RTE, Today FM, The Galway Advertiser, and Galway Daily all covered our stance.

Media Report

Strengthening Human Rights

On October 15th, Newstalk covered a Clann Project report calling for changes to the process of investigation in to the Mother and Baby Homes. The article included our welcome of the report, as well as a quote from Liam Herrick. Irish Central and The Irish Times also carried the quote from Liam Herrick.

In November, Maeve criticised the redress criteria that the Department of Justice was using to calculate payments for Magdalene survivors. Her comment was included in a news article and in Conall Ó Fatharta's opinion piece in The Irish Examiner.

On 7 December the Irish Examiner quoted ICCL's position that planned legislation to allow people separated from their families through adoption would not allow them to access their own records and histories was thus unfit for purpose. Three days later, the Irish Examiner carried a story about a woman who was refused access to her records from the Mother and Baby Homes Commission. The article cited Maeve O'Rourke who stated that the refusal seemed to be a breach of GDPR.

On 3 December Una Mullally of the Irish Times reported on Maeve O'Rourke's talk at Other Voices Festival in Dingle. Maeve discussed how intrinsically the Catholic Church is still embedded in the functions and infrastructure of the State, specifically with regard to the persistent lack of clarity on the Church's role in the new National Maternity Hospital.

Brexit

On 7 March, the Irish Times ran an article about about the draft withdrawal agreement protocol published by the European Commission with mention of ICCL. On 16 June, same paper published a letter to the editor that outlined our support for the joint declaration of human rights and equality made by the leaders of four political parties in Northern Ireland. On 17 August, the Irish Times published an ICCL letter to the editor voicing concerns on Brexit and calling for special measures for the North. During the 4th quarter, the Irish Independent reported concerns of Michael Farrell with regards to the potential human rights implications of a hard border and Brexit. The article included a mention of Michael's time with the ICCL. The Irish Times also published a letter to the editor jointly signed by Liam Herrick expressing concerns over the impasse in Brexit negotiations at that time.

Protest

On 27 June, the Irish Times covered INCLO's Defending Dissent report and its mention of the Jobstown water-charges protest. On 1 September, the Irish Independent mentioned our backing of the calls for protest against Trump's potential visit to Ireland in an article which featured a lengthy quote from Liam. (for more on coverage of ICCL on protest see: garda reform)

Blasphemy

A number of news outlets covered our call for the removal of blasphemy as an offence in the Autumn 2018 referendum. Liam appeared on the Six One News calling for a yes vote. ICCL's call for a yes vote was also covered by RTE, the Irish Examiner, the Irish Times, Breakingnews, ie, TodayFM and The Guardian. Abroad, Uk-based Quartz and Italian news outlet Strade also covered the referendum and our call for a yes vote. The Evening Echo, The Times UK, The Sun, and The Journal all covered the results of the referendum, and our welcoming of the result as an important step for free speech.

Rights groups push for yes vote in Irish blasphemy referendum

Vote on whether to decriminalise blasphemy coincides with presidential election on Friday



Irish voters will decide on Friday whether to remove a clause in the country's constitution that makes blasphemy a criminal act. A yes vote in the referendum would be a further sign of the diminishing influence of the church in the once staunchly Catholic country.

Prevention of Torture

On 24 November, Maeve O'Rourke spoke to Newstalk, CRC FM, Morning Ireland, and the Late Debate with regards to ICCL's submission to the UN Convention Against Torture on Ireland's ongoing failure to ratify the Optional Protocol to the Treaty. She discussed Direct Provision and Magdalene Laundries as well as the need for an independent mechanism to inspect all places of detention.

Media Report

Protecting Privacy Rights

Public Services Card

On 7 February, the Irish Examiner published an op-ed by ICCL's Elizabeth Farries identifying problems with the Public Services Card. On 8 February, The Irish Sun, The Irish Times, RTE, The Irish Mirror, breakingnews.ie, The Journal, and Newstalk all covered ICCL's appearance before the Joint Committee on Public Affairs and Social Protection outlining our concerns about the PSC. That same day, The Irish Examiner, BreakingNews.ie, and Evening Echo reported on the Government's refutes to our claims that the PSC is in breach of data laws. Also on 8 February, Liam Herrick appeared on Morning Ireland (RTE) and the Hard Shoulder (Newstalk FM) outlining ICCL concerns on the PSC. On 9 February, The Irish Mirror and Dublin Live covered our call for the suspension of the PSC and Liam Herrick spoke to KFM. Coverage continued on 25 February when Liam Herrick was interviewed by Dublin City FM with regard to the ongoing controversy. On 10 June, ICCL was mentioned in an Irish Independent article about the use of the PSC as a voter ID card.



Reform of data protection and privacy laws

On 10 February, an Irish Times article about the access to journalists' phone or internet records by State agencies mentioned our earlier submission to an Oireachtas committee on the Communications (Retention of Data) Bill 2017. In November, the Irish Examiner and Independent both published articles on the High Court ruling that the Data Retention Bill, under which gardaí gathered mobile phone evidence against Graham Dwyer, contravenes EU law and the European Convention on Human Rights. Both articles included ICCL's call on the Government to move quickly to introduce comprehensive data-retention legislation that fully respects individual rights.

On 18 February, The Journal quoted ICCL in an article regarding the Data Protection Bill as it related to GDPR. The Irish Times published a letter on 3 October jointly signed by Elizabeth Farries outlining our concerns about the Data Sharing and Governance Bill 2018.

On 11 June, the Irish Times ran an article on the refusal of State intelligence and security agencies' refusal to disclose details for their co-operation with agencies in other countries, following requests by a network of civil liberties groups. The article mentioned both INCLO and the ICCL.

Pope Francis visit

On 22 August 22nd, ICCL expressed concerns over the legality of the security measures being put in place for The Pope's visit. Newstalk and LovinDublin covered our concerns. Dr. Maeve O'Rourke appeared on Drivetime and Elizabeth Farries appeared on Last Word, both with regards to the security measures for the Pope's visit.

Social media privacy

On 25 August, ICCL's Elizabeth Farries spoke to Today FM and Highland Radio about the Department of Social Protection's plans to use taxpayers money to monitor our own social media. On 27 August The Irish Examiner ran a story with mention to the ICCL and a quote from Elizabeth Farries.

Fionnuala Ní Aoláin visit

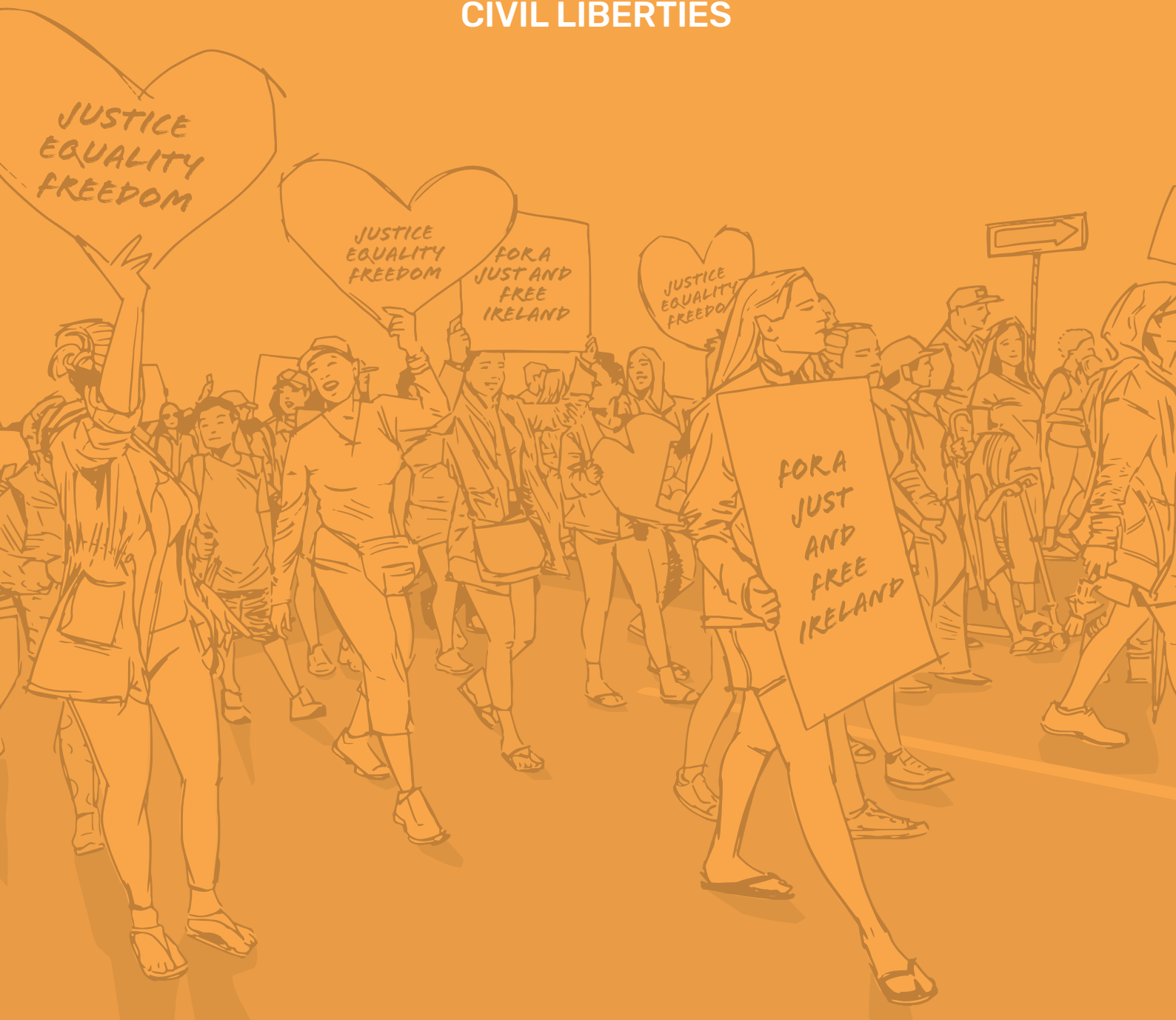
The Irish Times, The Irish Examiner, and The Law Society Gazette all covered UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism Fionnuala Ní Aolain's lecture hosted by the ICCL.

Other

On 3 January, the Irish Examiner carried our condolences on the death of Former Justice Donal Barrington. We commended our former board member's commitment to social justice and public service

OUR SUPPORT

IRISH COUNCIL FOR
CIVIL LIBERTIES



Thanks to Funders

The resources to support ICCL's work come from a number of sources including grants received for discrete projects and gifts and donations from individuals.

For twenty years, Atlantic Philanthropies was the largest single source of funding for ICCL's work. The fund ceased operations in 2017 after making an enormous impact on human rights and social policy in Ireland over a twenty year period. Atlantic made one last winding-down contribution to the ICCL's work in early 2018 and ICCL owes a great debt to the staff and board of Atlantic who have supported our work.

The majority of our funding comes from trusts and foundations. With the closing of Atlantic Philanthropies, ICCL now relies on a diverse funding base from a number of organisations to whom we are so grateful for supporting our work. We would like to extend sincere thanks to Sigrid Rausing Trust and Open Society Foundations.

In the area of project funding, we receive support from a number of trusts and foundations. ICCL would like to thank Community Foundation Ireland for their support of our work on Social Change as well as Civil Society Space, the Irish Human Rights and Equality Commission for their support of our work on Garda Reform and Coroners, and finally the International Network of Civil Liberties Organisations for their support of our work on Protest.

A persistent and key challenge for ICCL into the future is to build a significant and consistent level of financial support from our members and supporters. To this end, in 2018 we continued our Friends of ICCL project, whereby a network of our key supporters provide a substantial financial gift to ICCL on an ongoing basis. We are so grateful to the Friends of ICCL for their support and we look forward to welcoming new Friends going forward. We also took steps towards re-engaging and growing our membership.

We'd like to sincerely thank all of our funders, supporters, and members from your unwavering commitment to ICCL's work throughout the years. 2018 has been a year of incredible progress and achievement and we hope to build on that to achieve even more in 2019. We continue to fight tirelessly for an Ireland that is just, equal, and free for all and we would not be able to do so without your support. Thank you.

"A persistent and key challenge for ICCL into the future is to build a significant and consistent level of financial support from our members and supporters. To this end, in 2018 we continued our Friends of ICCL project, whereby a network of our key supporters provide a substantial financial gift to ICCL on an ongoing basis."

The
ATLANTIC
Philanthropies



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission



**The Community
Foundation for Ireland**

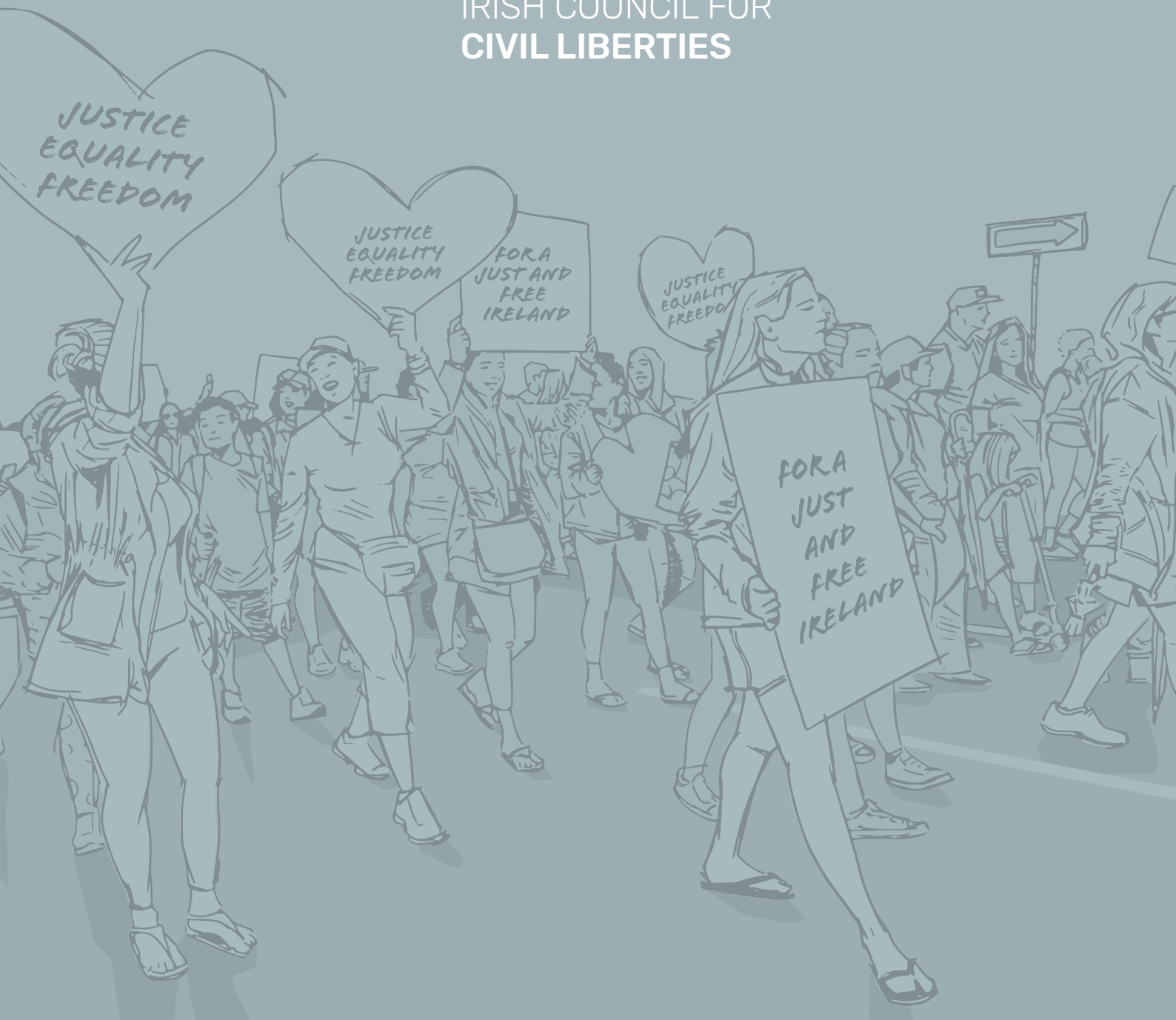
**THE
SIGRID
RAUSING
TRUST**



**OPEN SOCIETY
FOUNDATIONS**

OUR FINANCES

IRISH COUNCIL FOR
CIVIL LIBERTIES



IRISH COUNCIL FOR CIVIL LIBERTIES ASSOCIATION
INCOME & EXPENDITURE ACCOUNT
 (FOR THE YEAR ENDED 31 DECEMBER 2018)

	2018	2017
	€	€
Income		
Membership fees	5,728	5,625
Donations from supporters	0	0
Other income	179	2
	<u>5,907</u>	<u>5,627</u>
<i>Special Funds</i>	0	0
Total Income	<u>5,907</u>	<u>5,627</u>
Expenditure on Activities of Strategic Plan		
Bank Charges	95	69
Research and Policy Development	0	0
Campaigning and Communications	12,000	0
Lobbying and Advocacy	0	0
Networking	0	0
Fundraising	0	0
	<u>12,095</u>	<u>69</u>
Total Expenditure	<u>12,095</u>	<u>69</u>
Surplus/Deficit of Income over Expenditure	<u>(6,188)</u>	<u>5,558</u>

IRISH COUNCIL FOR CIVIL LIBERTIES ASSOCIATION

BALANCE SHEET
(AS AT 31 DECEMBER 2018)

	2018	2018	2017	2017
	€	€	€	€
Fixed Assets				
	0	0	0	0
Current Assets				
Prepayments	0		0	
Bank and Cash	38,940		45,128	
		38,940		45,128
Current Liabilities				
Trade Creditors	0		0	
Accruals	0		0	
		0		0
Net Assets		38,940		45,128
Cashflow carry from 2017/2016		45,128		39,570
Surplus of Income over Expenditure		(6,188)		5,558
		38,940		45,128

IRISH COUNCIL FOR CIVIL LIBERTIES LIMITED

INCOME & EXPENDITURE ACCOUNT

(FOR THE YEAR ENDED 31 DECEMBER 2018)

	2018	2017
	€	€
Income		
Total Income*	<u>829,704</u>	<u>1,408,235</u>
Expenditure		
Costs of campaigns, publications and awareness and fundraising activities	(716,233)	(973,855)
Support Costs (Governance, administration and capacity building costs)	(162,810)	(144,579)
Total Expenditure	<u>(879,043)</u>	<u>(1,118,434)</u>
Cost of fundamental reorganisation	0	(122,539)
Bank Interest	0	10
(Deficit)/Surplus before taxation	(49,339)	167,272
Tax on (Deficit)/Surplus	18,812	(18,812)
(Deficit)/Surplus for the year	(30,527)	148,460
Total Comprehensive Income	<u>(30,527)</u>	<u>148,460</u>

* For full breakdown of income please see p40

IRISH COUNCIL FOR CIVIL LIBERTIES LIMITED
INCOME BREAKDOWN
 (FOR THE YEAR ENDED 31 DECEMBER 2018)

	2018
	€
EU Project Funding	€339,107
Atlantic Philanthropies	€125,000
Sigrid Rausing Trust	€102,083
International Network for Civil Liberties Organisations	€64,518
Open Society Foundations	€64,476
Donations	€53,040
Community Foundation of Ireland	€23,918
Irish Human Rights and Equality Commission	€18,500
Donated Services	€15,482
Trust For Civil Liberties Human Rights and Fundamental Freedoms	€11,982
Membership Fees	€7,705
Other (Training, Consultancy, Seminar Expense Reimbursement)	€3,893
	€829,704

IRISH COUNCIL FOR CIVIL LIBERTIES LIMITED

BALANCE SHEET

(AS AT 31 DECEMBER 2018)

	2018	2018	2017	2017
	€	€	€	€
Fixed Assets				
Computer Equipment		0		0
Furniture & Fixtures		0		0
		<u>0</u>		<u>0</u>
Current Assets				
Debtors	235,555		785,211	
Cash at bank and in hand	267,993		267,994	
	<u>503,548</u>		<u>1,053,205</u>	
Creditors: amounts falling due within one year	(510,131)		907,180	
Net Current Assets		<u>115,498</u>		<u>146,025</u>
Total assets less current liabilities		<u>115,498</u>		<u>146,025</u>
Reserves				
Retained Surplus		115,498		146,025

The above figures are taken from the ICCL Ltd., audited financial statements for the year end (31 December 2018)



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Civil Liberties

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