



ESC Rights Initiative

Conference

Making Economic, Social and Cultural Rights Meaningful

10.30am to 3.30pm, 29 March 2017, Oak Room, Mansion House, Dawson Street, Dublin 2

About the Economic, Social and Cultural Rights Initiative (ESCRI)

The Economic, Social and Cultural Rights Initiative (ESCRI) is a coalition of over 60 civil society organisations that support the strengthening of economic, social and cultural rights protection in the Irish Constitution.

The ESCRI believes that the constitutional strengthening of ESC Rights would bring balance to existing civil and political rights protection in the Constitution, which are justiciable, thus achieving the intended indivisibility between civil and political rights and economic, social and cultural rights. ESC rights are fundamental human rights. They belong to everyone in Ireland. The Irish Government committed to uphold them when it ratified the International Covenant of Economic, Social and Cultural Rights in 1989. The protection of these rights is necessary to ensure a life of dignity.

The ESC Rights Initiative successfully campaigned for the inclusion of economic, social and cultural rights as an agenda item of the Constitutional Convention. Following a comprehensive examination, the Convention recommended a strengthened constitutional framework in its 2014 report to government. In its response to the report the government did not indicate whether it accepts or rejects the recommendation and has indicated that it would refer it to an Oireachtas Committee.

Members of the ESC Rights Initiative include: Age Action, All Together in Dignity, Community Action Network, Community Law and Mediation, Focus Ireland, Irish Council for Civil Liberties, Mercy Law Resource Centre

Overview of event

In order to advance our objectives, on 29 March 2017 the ESCRI will hold a high-level event entitled *Making Economic, Social and Cultural Rights Meaningful*. This event will bring together politicians, the legal profession and civil society to consider enforceability and accountability mechanisms for ESC rights at national, regional and international level and the need to enhance the protection of these rights. The event will consider why enforceable ESC rights are important and the real and practical difference this could make for individuals and groups in Ireland.

Drawing on the recent findings of the European Committee of Social Rights against Ireland, discussions will consider the accountability mechanisms already available, how these can be utilised and how accountability can be strengthened.

Aim and objectives

The event will bring together a range of stakeholders to discuss how enforceable ESC rights such as the right to housing and the right to health would impact upon individuals and groups in Ireland, drawing on experiences from other European States where ESC rights have been given legal protection.

The main aim of the event is to enhance the understanding of ESC rights among politicians, law and policy makers and other relevant stakeholders and to promote discussion on how the protection of ESC rights can be advanced in Ireland.

The objectives are:

- To bring together law and policy makers, politicians, members of the legal profession, civil society and other stakeholders to discuss the enforceability of and accountability for ESC rights, how this can be advanced in Ireland and the difference it would make in practical terms.
- To achieve greater understanding of ESC rights among participants.
- To create political debate and a willingness amongst law and policy makers to advance the strengthening of ESC rights in Ireland.

Format of the event

The structure of the event will take the form of a keynote address, followed by three expert panel discussions:

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| 10.30am-10.45am | Registration and tea and coffee |
| 10.45am-11am | Welcome by ESC Rights Initiative |
| 11am-11.30am | Key note address by Mr Jamie Burton |
| 11.30am-12.30pm | Panel 1: The extent of the obligation Chair: Anastasia Crickley Speakers: Dr Helen Johnston, Prof Colin Harvey, Prof Gerry Whyte |
| 12.30pm-1pm | Lunch |
| 1pm-2.15pm | Panel 2: What would enforceable economic, social and cultural rights mean in practice? Chair: Dr Liam Thornton Speakers: Siobhan Curran, Eoin Carroll, Dr Austin O'Carroll, Debbie Mulhall |
| 2.15pm-3.15pm | Panel 3: Where we are and where we go from here Chair: Cecilia Forrestal Speakers: Dr Mary Murphy, Eilis Barry, Dr Padraic Kenna |
| 3.15pm-3.30pm | Closing address by Mr Michael Farrell |
| 3.30pm | Close of conference and thank you by ESC Rights Initiative |

[Speakers at the conference:](#)

Jamie Burton is a barrister at Doughty Street Chambers, London, UK who specialises in all aspects of welfare law and social justice, including human rights, social and clinical care, housing and social security. Jamie is also Chair of Just Fair, a charity dedicated to the advancement and realisation of economic and social rights in the UK.

Anastasia Crickley is Chairperson of the UN Committee on the Elimination of Racial Discrimination (CERD), Vice- President of the International Association for Community Development and Senior Lecturer Emeritus at Maynooth University where until September 2015 she led the Department of Applied Social Studies, the longest standing Irish provider of professional education and study at all levels from outreach to doctoral, in Community Work and Youth Work. Anastasia has a long term commitment to social justice through rights-based community work and the development of programmes at all levels for the education and formation of community workers and youth workers at Maynooth University. She is chairperson of Pavee Point National Traveller and Roma Centre, a founder and board member of the Migrants Rights Centre Ireland and chairperson of Community Work Ireland. Anastasia was a founder of the Irish Commission for Prisoners Overseas and has been active in a number of local initiatives.

Colin Harvey is Professor of Human Rights Law, Queen's University Belfast. He has served as Head of the Law School, a member of Senate and Director of the Human Rights Centre. He has been a Commissioner on the Northern Ireland Human Rights Commission, and a member of the Northern Ireland Higher Education Council. He has held visiting positions at the University of Michigan, the LSE and Fordham University, and taught on the international human rights programme at the University of Oxford. He is a member of the Academic Panel at Doughty Street Chambers. He has written and taught extensively on human rights law and policy.

Gerry Whyte lectures in public interest law, constitutional law and labour law at Trinity College Dublin. The second edition of his book, *Social Inclusion and the Legal System: Public Interest Law in Ireland*, was published in 2015 by the Institute of Public Administration.

Helen Johnston is a Senior Social Policy Analyst at the Irish National Economic and Social Council. She has worked on issues of well-being and social reporting, social regulation and standards, the social consequences of the crisis, jobless households, as well as undertaking work for the OECD on social disadvantage. Helen was previously Director of the Combat Poverty Agency. A native of Northern Ireland, Helen has previous experience working in the Northern Ireland civil service. She is currently Chair of the Centre for Cross Border Studies and has served on the National Statistics Board. Helen has qualifications in Environmental Science and Town and Country Planning, a Masters in Business Administration, and a Doctorate in Governance, where she examined the implementation of mental health policy in Ireland.

Dr Liam Thornton is a UCC graduate (BCL (Int.) and PhD), and is currently an assistant professor in law in UCD Law School. Liam engages in research on refugee law, human rights, legal systems and children's rights in comparative contexts. In particular, Liam's research focuses on the legal/political status of socio-economic rights. Liam's research to date has analysed systems and legal processes for rights protection, with a particular emphasis on the socio-economic rights of asylum seekers in Ireland, the EU, and internationally. Liam was an academic advisor on social, economic and cultural rights to the Constitutional Convention in 2014.

Dr Austin O Carroll is a GP in Inner City Dublin. He has a deep interest in Health Inequalities. He was presented with the Time and Tide, Fiona Bradley, an honorary fellowship of the Royal College of Physicians of Ireland; and Irish Healthcare Person of the year 2015 awards for his work with marginalized groups. He started eight specialized primary care services for homeless people and

founded Safetynet, the umbrella organization for specialized-services for homeless people in Dublin and Cork. He worked extensively with drug users both in the housed and homeless populations. He founded the North Dublin City GP Training programme which specifically trains GPs to work in areas of deprivation and with marginalized groups, the first such postgraduate educational programme internationally. He delivers educational programmes in health inequalities, disability, personal development, primary care and Calgary Cambridge. He has lectured extensively in Ireland and internationally. He co-founded the Partnership for Health Equity between the HSE Social Inclusion, NDCGP and University of Limerick. He has been involved in many research projects dealing with access to health care. He has completed an ethnographic exploration of the Health Service Usage of Homeless People Health Service Usage Behaviour as part of a Professional Doctorate-in-Health. He was a founding member of D-Doc Out of Hours Service. He sailed on the Irish Paralympic Sailing Team that competed in Rio 2016.

Siobhan Curran is the Roma Project Coordinator with Pavee Point Traveller and Roma Centre, Ireland. She previously worked as a campaigner for Amnesty International Ireland, focusing on gender based violence. She has an LLM in Human Rights Law and Transitional Justice from the University of Ulster and a Masters in Social Policy from University College Dublin. She has published papers on intersectionality in human rights law and the coercive sterilisation of Romani women; and the gendered impacts of structural reforms in health systems in Belize. She is a feminist activist and has been active in campaigning for LGBTQ rights in Ireland.

Eoin Carroll is Social Policy and Communications Co-ordinator at the Jesuit Centre for Faith and Justice. The Centre is dedicated to creating a better society for all by promoting social justice and policy reform through analysis, awareness raising and advocacy. Eoin previously worked in homeless services with Focus Ireland. He writes and comments on social policy with a particular emphasis on the criminal justice system, housing and homelessness, and the voluntary sector. Eoin has an MSc in Social Policy (LSE) and an MA in Criminology (DIT) and is Chairman of the Irish Social Policy Association.

Debbie Mulhall is from a community called Dolphin House. She is the third generation in her family to live there. Her children and grandchildren live there also. She worked in adult education for eighteen years mainly with drug users and their families. Debbie became involved with Community Action Network (CAN) in relation to human rights issues of drug service users. She was one of the founding members of Rialto Rights in Action and part of the coalition who are now bringing a Collective Complaint to Europe. The Complaint is about the living conditions of people living in inadequate accommodation in Ireland whose rights are being violated.

Cecilia Forrestal works for Community Action Network, (CAN). CAN places people at the heart of change to promote and support inclusion, equality, fairness and human rights. Cecilia has been involved in all of CAN's work and has facilitated, trained and consulted to numerous projects, partnership structures and change initiatives in local, regional and national and international contexts. She draws on a range of participative approaches in all her work as a means of tackling social inequalities. She has particular interest in using Human Rights based approaches to tackle inequalities in health and housing. Key areas of work have included the facilitation of Rialto Rights in Action Campaign in Dublin, tenant participation in the Collective Complaint FIDH against Ireland which relates to Local Authority housing, Service Users Rights in Action Pilot Public Sector Duty Project with the Irish Human Rights and Equality Commission and rights holder training programmes.

Dr Mary P. Murphy lectures in Irish Politics and Society in the Department of Sociology, Maynooth University and her research focuses on globalisation and welfare states, activation, and power and civil society. Recent publications include *Careless to Careful Activation: Making Activation Work for*

Women (Dublin NWCi 2012) and (co-edited with Fiona Dukelow) and *The Irish Welfare state in the 21st Century Challenges and Changes* (Basingstoke, Palgrave, 2016). An active advocate for social justice and equality, she is a part time Commissioner on the Irish Human Rights and Equality Commission.

Dr Padraic Kenna lectures in property and housing law, regulation, local government law at NUI Galway and established the Centre for Housing Law, Rights and Policy. He contributes at European level on housing rights developments and was Project Director and lead author on an EU Commission research project on evictions across the 28 EU Member States, published in 2016. Recent publications include Kenna, P. (ed.) (2014) *Contemporary Housing Issues in a Globalized World* (Ashgate); and *Housing Rights after the Treaty of Lisbon – Are they Minimum Core Obligations?*, *The Cyprus Human Rights Law Review*, (2014) 3 (1) 13-35.

Eilis Barry is the Chief Executive of FLAC (Free Legal Advice Centres). Prior to joining FLAC, Eilis was a barrister specialising in all aspects of employment law, anti-discrimination and equality law. She was the legal adviser of the Equality Authority and head of its legal section from 2000 to 2009, when she resumed practice at the bar. Eilis drafted *Case Law Review of Mental Health in the Workplace* and authored *Equality How?*, a guide to taking cases under the Employment Equality Acts and Equal Status Acts. She is co-editor of *Equality in Diversity, the New Equality Directives*, and former editor of the *Employment Law Reports*.

Michael Farrell is a solicitor based in Dublin and is a member of the Council of State of Ireland and the Irish member of the European Commission against Racism and Intolerance (ECRI). He was the senior solicitor at Free Legal Advice Centres in Dublin from 2005 until the end of 2015 and while there he managed the Lydia Foy case which led to the adoption of the first Gender Recognition law in Ireland. He has also taken cases to the European Court of Human Rights and the UN Committee on Human Rights. He was a member of the Irish Human Rights Commission from 2001 to 2011 and was joint chair of the Irish Council for Civil Liberties from 1995 to 2001. He is a former journalist and was involved in the campaign for the release of the Birmingham Six and other prisoners wrongly convicted of IRA bombings in Britain in the 1970s and was actively involved in the Northern Ireland Civil Rights movement in the late 1960s and early 1970s.

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