



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

Consultation on the Irish Human Rights and Equality Commission Strategy Statement 2025-2027

[Invitation for Submissions](#)

Introduction

The Irish Human Rights and Equality Commission (the Commission) would like to invite you to make a contribution to our consultation process for our new Strategy Statement 2025-2027. This will be our fourth Strategy Statement.

Consultation with Individuals and Stakeholders

We are inviting submissions from people (rights-holders), civil society groups, public bodies and other stakeholders working to eliminate discrimination, and promote and protect human rights and equality. Your contributions will spotlight issues that you believe we should take into account when we are developing our strategic priorities for the next three years.

Irish Human Rights and Equality Commission Act 2014

The Irish Human Rights and Equality Commission Act 2014 sets out our role to promote and protect human rights, equality and respect for intercultural understanding in Ireland. Our vision is of an inclusive Ireland where human rights and equality are respected.

Under the Irish Human Rights and Equality Commission Act 2014 (the Act), the overall functions of the Commission are to:

- (a) protect and promote human rights and equality;
- (b) encourage the development of a culture of respect for human rights, equality and intercultural understanding in the State;
- (c) promote understanding and awareness of the importance of human rights and equality in the State;
- (d) encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person; and
- (e) work towards the elimination of human rights abuses, discrimination and prohibited conduct.

Section 42 of the Act sets out the Public Sector Equality and Human Rights Duty. The Duty places a statutory obligation on public bodies to eliminate discrimination, promote equality of opportunity

and protect the human rights of those to whom they provide services and staff when carrying out their daily work. The Commission gives guidance to them to develop policies and good practice based on human rights and equality standards.

The Act provides the framework for the Commission's next Strategy Statement 2025 - 2027.

How can I make a submission?

You can use this form to make a written submission. You can [send your views to us by email](#) or post using this form.

There are four sections to complete in this form:

1. [Group or Organisation Background](#)(only for representatives of groups or organisations)
2. [Context for the Commission's work over the next three years](#)
3. [Performance of the Irish Human Rights and Equality Commission](#)
4. [Achieving change](#)

If you would like to make a video submission, please visit our website for information on how to submit a video.

The closing date for submissions has been extended to 5pm, Monday, 22nd April 2024.



How we will use your information

Your submissions will only be shared internally and with our appointed consultants to inform the development of the next Strategy Statement. Your submissions will not be circulated outside of the Commission. The information provided will not be used for any other purpose. It will be securely stored and only kept for 12 months. We appreciate your time and valuable input to this consultation process.

Consent for use of information

☒ **I agree** that the information I provide may be used for the purposes outlined above and in accordance with our [Data Protection Information Notice](#).

☐ **I do not agree** that the information I provide may be used for the purposes outlined above and in accordance with our [Data Protection Information Notice](#).

Please note, if you do not agree, we cannot use your information and you should not complete and submit this form.



Section 1: Group or Organisation Background

Please only fill out this section if you are representing a group or organisation

What is the name of your group or organisation?

The Countess Advocacy plc

Which category or categories does your group or organisation's human rights and equality work relate to?

Please select one or more of the following options:

- ☐ Age
- ☐ Disability
- ☐ Civil status
- ☐ Family status (including lone parents and carers)
- ☒ Gender (including a transgender person or a person who is transitioning to another gender)
- ☐ Race
- ☐ Religion
- ☐ Sexual orientation
- ☐ Traveller community
- ☐ Housing Assistance
- ☐ People experiencing or at risk poverty and social exclusion
- ☐ People with a history of contact with the criminal justice system
- ☐ Other (please specify below)

Gender: The Countess is concerned with the preservation of the human rights and safeguarding of women and girls. Our focus is on the tension between gender self I.D. and women's rights. We



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wish to preserve our sex based rights in The Equality Acts. We are therefore, focusing on the “gender” issue in that context.

Section 2: Context for the Commission's work over the next three years

We would like to understand your experience, or the experience of those you represent, so that it informs the human rights and equality context in which the Commission will work over the next three years.

What is going well for you (and/or your community / constituency you represent)?

Women and girls have benefitted from recognition of discrimination based on biological sex, in the Equality Acts, CEDAW, ECHR, and Fundamental Human Rights Laws.

Central to those rights and privileges was the common understanding of what was meant when we referred to

- Sex – the different biological and physiological characteristics of males and females, such as reproductive organs, chromosomes, hormones, etc.; and,
- Gender – the socially constructed characteristics of women and men, such as norms, roles, and relationships of and between groups of women and men.

We enjoy the right to privacy afforded by single-sex spaces and other services to avoid embarrassment and preserve our dignity. We enjoy fair and safe sports due to separate categories for women and men. In 2018, the right to access safe abortion became a reality in Ireland for the first time.

Recognising biological sex matters has been used effectively in the following areas:

- data and statistics.
- freedom of speech to name ourselves accurately and campaign for our rights.
- healthcare – women have specific healthcare needs, distinct from men, and there have been screening programmes designed especially for women.
- Prisons – women deserve to be safe in female-only prisons while detained at the direction of the state.



What are the challenges and barriers that you (and/or your community / constituency) face?

Tension between legislation: The Equality Acts and the Gender Recognition Act (GRA) 2015, whereby the GRA introduced the legal fiction that people can “change sex” once a Gender Recognition Certificate (GRC) has issued.

The Irish Government failed to honour or recognise the sex-based rights of women and girls enshrined in Irish Law and in international human rights laws.

Since Government published its two LGBTQ+ policies, the strategies contained therein prioritised the needs of that community over the needs of women and girls.

We have seen the erosion of sex-based language in law, public policy, and media discourse.

Sex-specific language is vital, particularly in public policies that impact on women’s safety, representation in public life, and health. The use of gender-neutral language hides the differences between the sexes and covers up the unique disadvantages faced by women and girls compared to men.

In healthcare, women have been referred to as “people with a cervix”. There was an attempt to erase the word “woman” from the Maternity Protection Act.

Following the Marriage Act, 2015, sex-based language was removed from a number of Laws around Family matters, mother and father were removed in favour of “gender-neutral language”. Reproductive Health Related Leave Bill does not refer to “women”.

Two Period Products Bills do not refer to women or girls at all.

Census 2022 – Q.4. related to “sex” with two options, male/female, in accordance with EU legislation. However, people were allowed to “not declare” their sex but were to have one assigned to them on a random basis.

Data on sex is important for health and social scientists, and public bodies. Sex is a fundamental variable, which effects health, social, and economic outcomes. Differences between sexes are an important factor for analysis of demography, physical and mental health, crime, education, employment, sport.

What do you (and your community/ constituency) need to thrive – to have your human rights and equality protected?

We require continued recognition of biological sex in law, language, and public discourse. We require our right to be recognised as a distinct sex class, separate from men (including men to identify as women).

Where laws relating to sex were enacted, they were used to remedy the disadvantages suffered directly and indirectly by women. These disadvantages have always been based on women's biology as female and on the social constructs built upon our biology.

These disadvantages have not simply vanished because of gender self I.D. The same challenges remain for women, and we require those same sex-based safeguards and laws to remain, and not be replaced by the social construct of "gender" over biological sex.

Investigation by Noteworthy & European colleagues shows that the number of female rape victims in Ireland is almost three times higher than the EU country average. Women cannot advocate for better services and safeguarding including single sex services, if we are eliminated as a distinct sex class from laws and language.

It is important to maintain the biological category of female sex (not gender). It must remain clearly defined in national and international law so that women's equality can be protected and enforced. Women's safety depends on it.

Section 3: Performance of the Irish Human Rights and Equality Commission

We would like to understand how you perceive the Commission's performance over the past three years. Set out below are our current strategic priorities. We also encourage you to look at the full [2022-24 Strategy Statement](#) and our [Annual Report 2022](#).

Our Strategic Statement 2022-24 – Strategic Priorities:

1. Economic Equality

We will seek greater economic equality in housing, employment, income and for carers

2. Justice

We will defend access to justice and the rule of law in the international protection system, in the courts and in the use of public powers

3. Respect and Recognition

We will promote the eradication of racism, ableism, ageism and sexism through public understanding and State action

4. Future Proofing

We will respond to crises that threaten rights and equality, including the COVID-19 and climate change

5. Public Sector Equality and Human Rights Duty

We will encourage, report on and enforce the compliance of public bodies, including engaging in consultation with rights holders directly and through civil society organisations towards the promotion of the Duty

What do you think our impact has been over the past three years?

What do you think were the successes? Were there gaps?

Where possible, please refer to a specific aspect of our work – i.e. our legal work; research; legislative and policy submissions; international reporting (e.g. to the UN); anti-human trafficking;

civil society engagement; grants programme; public awareness campaigns; public communication; and promotion of the Public Sector Equality and Human Rights Duty etc.

The Commission's purpose is to protect and promote human rights and equality in Ireland, and build a culture of respect for human rights, equality, and intercultural understanding in the State.

However, it appears you may have forgotten about women and girls.

You inadvertently revised your Information Booklet on the Equality Acts, as if gender Self I.D. were a protected characteristic in the Equal Status Act, (ESA) when it clearly isn't. The Act defines "gender" as a man or a woman, and because of European case law, this definition extends to "transsexuals" who have undergone gender reassignment surgery.

There was a public consultation as to whether gender self I.D. should be included in the ESA as a protected characteristic. The law has not yet been changed, yet you remained silent on the provision of single-sex spaces and protections for women and girls.

We believe you have failed to uphold women's sex-based rights and have actively campaigned against the rights of women and girls, when you recommended the following:

- the gender ground in the Equality Acts be amended to include explicit reference to, and define gender identity, gender expression, and sex characteristics. The ground should continue to be called the gender ground, to facilitate and ensure retention of protections under the case law of the current gender ground.
- in reforming the gender ground, consideration should be given to reframing the exemptions relating to gender to ensure the current protections for trans men and women are not diluted. Consideration should also be given to reframing exceptions relating to gender to ensure discriminatory treatment between different groups within the gender ground is not unintentionally facilitated."

Why have you not sought to protect the sex-based rights of women and girls?

Women and girls require our own facilities, away from men, including men who "identify as women".



We ask that a separate category be created in any revision of the Equality Acts, to cater for gender self I.D. and that this should not interfere with the separate protected characteristic of biological sex.

We require a clear demarcation between the protections for women and girls based on biological sex and we require the exemptions in the Equal Status Act to be based on biological sex, NOT gender identity (i.e. that it is not discrimination under the Acts to treat a person differently on the gender ground when providing aesthetic, cosmetic, or similar services, which require physical contact between provider and recipient).

Section 4: Achieving Change

We would like to understand how we could work effectively to fulfil our mandate and achieve change that will lead to the realisation of an inclusive Ireland where human rights and equality are respected.

What issues should we continue to address as a priority and build upon in our new Strategy Statement 2025-2027 and programme of work?

We request that you focus on the following:

- Stopping the erasure of sex-based language in law, public policy, discourse, and data collection.
- Stopping the constant attempts to airbrush women and girls from laws etc. through the use of gender-neutral language.
- Stopping the dehumanisation of women and girls through the use of language that refers to us as “people with a cervix”, “bodies with vaginas”, “chest feeder,” “birthing parent,” etc.
- Understanding the differences between “sex” and “gender” in order to identify where inequality exists between the sexes, analysing the causes and finding ways to overcome it.
- Recognising the need for safeguarding children – we reference the Children First Act. Single-sex toilets and changing facilities are important to stop predators from accessing such spaces.
- Recognising the need for safeguarding of vulnerable adults and disabled people – providing intimate care from a member of the same sex, not gender identity, is necessary to ensure that such persons are treated with dignity and respect for privacy.

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What emerging or other issues should we begin to address in our new Strategy Statement 2025-2027 and programme of work as a priority?

The protection of sex-based rights must be maintained for women and girls in particular and we urge you to consider this to be a priority.

The Commission should address the “gender neutralising” of language in our laws and in policy documents. This disadvantages women and girls.

Safeguarding must be a priority. Instances of sexual abuse against vulnerable adults have been reported in national news. This might have been prevented if “same-sex care” were provided to these women. Hospitals are now using mixed-sex wards and this also puts women at a disadvantage.

With the rising sexual assault rates in Ireland safeguarding measures such as single-sex toilets and changing rooms must be protected.

Internationally, we have seen more and more injuries to women and girls because men/boys who claim to be women are being permitted to compete against women in sport. This is discrimination against women, and is being permitted because of the legal fiction in law that men can change sex upon the issue of a Gender Recognition Certificate. This ignores women’s legal sex-based rights.

The human rights of school girls and young female teenagers are being set aside once a boy decides he is now a girl. Schools are confused about the law. They don’t seem to be aware that the GRA does not apply to under 16s and they are allowing these boys to use the girls facilities. This is again discrimination against girls and must be recognised and addressed.

Besed on correspondence we have received from parents, some schools are facilitating social transition. Dr Hilary Cass’s Review of gender identity services in the NHS (note: Irish children were sent by the HSE to this service) stated that social transition was “not a neutral act”. Social transition includes changing a child’s name and pronouns. She cautioned that “social transition” prior to being seen by a clinician “were more likely to proceed to a medical pathway”. Dr Cass cautioned that “social transition” is an “*intervention or treatment*” and it is doubtful that well-meaning teachers are aware of the consequences or that it could potentially lead to litigation.

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How can we work with and support the further development of civil society as key actors in addressing discrimination and human rights infringements?

Recognition of The Countess as a stakeholder and advocacy group campaigning for the human rights and safeguarding of women and girls.

Women's voices have been suppressed since the enactment of the GRA. We have been called transphobe, bigot, racist, far right, nazi, and worse for daring to question the impact of gender self I.D. on women's rights.

Throughout this, you have remained silent. It's time that you recognised that women deserve a voice, that we deserve clear sex-based language to advocate for ourselves, and that we have a right to respect for our basic human dignity and human rights.

There is an amount of both misinformation and disinformation in society around sex-based rights for women, including the rights to privacy and dignity in public spaces, and in the provision of healthcare, both to disabled and vulnerable women.

By your silence, you have been complicit in this sex discrimination against women.

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What impact would you like to have seen from us by 2027?

That you will have challenged the conflation of sex and gender identity in equality laws and have been a strong voice for fairness and the recognition of females as a sex class, independent from men irrespective of their "identity".

That you will have protected biological sex as a protected characteristic in anti-discrimination laws.

That you will have ensured that the exemptions in the Equality Acts are maintained on the basis of biological sex and NOT gender self I.D.

That you will have ensured the correct collation of data and statistics, based on biological sex.

That you will have protected the sex-based rights of women and girls in healthcare, sport, prisons, single-sex spaces, and public representation.

We believe that any threat to women sex-based rights will adversely effect women's right to redress our historical disadvantage. Any move to replace sex with "gender identity" will alienate



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women from our own experiences and deny the historical discrimination and disadvantages we have experienced through the ages.

We call on you to ensure that this does not happen.

Thank you!



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How do you submit this form?

The deadline for submissions has been extended to 5pm, Monday, 22nd April 2024.

You can email this form to:

consultation@ihrec.ie

Please use the subject line: "Submission to IHREC 2025-2027 Strategy Statement Consultation".

You can also post this form to us at:

Strategy Statement Consultation

Irish Human Rights and Equality Commission

16-22 Green Street

Rotunda

Dublin 7 D07CR2