

RACISM

Racism or racial discrimination can be any distinction, exclusion, restriction or preference based on race, colour, descent, national or ethnic origin that has the purpose or effect of preventing people from enjoying or exercising their human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Racism is dealt with in Ireland by two types of legislation:

1. **Equality legislation** - when racism is in the form of discrimination in employment or when accessing goods or services
2. **Criminal legislation** - when a person is the victim of a racist incident

1. **Equality legislation**

'Race' is one of the nine grounds listed as a ground for discrimination in Irish equality legislation. There are different types of discrimination covered by this legislation; **direct discrimination** and **indirect discrimination**.

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

Indirect discrimination happens when practices or policies which seem fair at first sight result in discrimination against some minority ethnic group or groups.

The equality legislation in Ireland covers discrimination based on 'race' in two situations:

1. Discrimination in employment matters
2. Discrimination in accessing good and services

Racial discrimination in employment matters:

Discrimination in employment is dealt with in the Employment Equality Act 1998, as amended by the Equality Act 2004.

The Act covers situations of accessing employment and employment conditions

Racial discrimination in accessing goods and services

Discrimination suffered on the grounds of 'race' or membership of an ethnic minority group is addressed in the Equality Acts of 2000 and 2004.

What to do if you have been discriminated against based on 'race'?

If you have been discriminated based on 'race' in one of the situations described above, you should contact the **Equality Authority**. The Equality Authority provides information to the public on the equality legislation. The Equality Authority may at its discretion, where the case has strategic importance, provide legal assistance to people who wish to bring claims.

The **Equality Tribunal** is the independent body which investigates or mediates complaints arising from the equality legislation. The Equality Tribunal appoints **Equality Officers** to hear and make decisions in claims of discrimination in employment and in the provision of goods and services. Equality Officers can also act as mediators where disputes have occurred. If mediation is not an option, the Equality Officer will consider all evidence and issue a legally binding decision, which is enforceable through the Circuit Court. For more information, contact the Equality Tribunal: www.equalitytribunal.ie

You should be aware that the equality legislation provides time limits for making complaints and you should make the complaint in time. For information on these time limits, contact the Equality Authority

2. Criminal legislation

A racist incident is any incident which is perceived by the victim to be racially motivated, a member of **An Garda Síochána** (Police Force), a person who was present and who witnessed the incident or a person acting on behalf of the victim.

IMPORTANT TIPS:

What to do if you have been subjected to racist abuse or witnessed a racist incident?

You may contact us at 01 8897570 or email: info@mrci.ie

You can report the incident to the Irish Network Against racism ENAR, [please click](#)

You may report the incident in your local Garda Station or to the nearest Garda Ethnic Liaison Officer, [please click](#)

Useful tips when making a complaint:

1. Take notes of the incident
2. Keep records of your complaint, including correspondence and copies of completed forms
3. Be aware if somebody witnessed the incident and if possible ask for their contact details
4. Seek evidence that will make your complaint stronger (for example in cases of assault, seek written confirmation of injuries sustained from a medical practitioner)
5. If the incident is one of discrimination based on 'race', contact the Equality Authority and the Equality Tribunal
7. Ensure that your complaint is made in time
8. If you have been physically assaulted, verbally abused, had your home or property damaged, if you received hate or racist mails or material contact the police (Gardaí)
9. In the case of reporting a possible crime to your local Garda station, it is often also useful to contact your local Garda Ethnic Liaison Officer. You can also contact Garda Racial and Intercultural Office

Useful Links

Irish Network Against Racism (formerly ENAR)

55 Parnell Square West

Dublin 1

www.enarireland.org

Garda Racial & Intercultural Office

Community Relations & Community Policing

Garda Headquarters

Harcourt Square

Dublin 2

www.garda.ie/Controller.aspx?Page=154

The Equality Authority

2 Clonmel Street

Dublin 2

www.equality.ie

The Equality Tribunal

3 Clonmel Street

Dublin 2

www.equalitytribunal.ie

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