



05

# Discrimination and Racism



## What is discrimination?

In Ireland, discrimination has a specific meaning under the Employment Equality Acts 1998 and 2004 and the Equal Status Acts 2000 and 2004. It is described as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the following nine grounds:

- gender
- marital status
- family status
- age
- race
- religion
- disability
- sexual orientation
- membership of the Traveller community

There are different types of discrimination covered by legislation:

Direct discrimination occurs when a person is treated less favourably than another, in similar circumstances, based on one of the nine grounds.

Indirect discrimination is about practices or policies, which seem fair at first sight but which in effect, either intentionally or more often un-intentionally, result in discrimination against a minority ethnic group or groups.

Discrimination by association happens when a person associated with another person who belongs to a particular ethnic minority is treated less favourably because of that association.

If you feel you have been discriminated against in relation to employment or the provision of goods and services, you may be protected by equality legislation and you can report the incident to the Equality Authority.

## Employment

The Employment Equality Acts, 1998 and 2004 prohibit direct and indirect discrimination in employment across the nine grounds. The Act covers advertising of a vacancy, equal pay, access to employment, vocational training and work experience, terms and conditions of employment, promotion or re-grading, classification of posts, dismissal and collective agreements.

## Goods and Services

The Equal Status Acts, 2000 and 2004 prohibits discrimination when trying to access goods and services on the nine grounds.

The Act applies to people who:

- buy and sell a wide variety of goods
- use or provide a wide range of services
- obtain or dispose of accommodation
- attend at or are in charge of educational establishments

Examples of services include:

- Banking, insurance, grants, loans, credit or financing
- Entertainment, recreation or refreshment
- Cultural activities
- Transport or travel
- A service or facility provided by a club which is available to the public or a section of the public
- A professional trade or service

If you have questions in relation to discrimination, you should contact the Equality Authority at 2 Clonmel Street, Dublin 2.

Lo-call: 1890 245 545

Telephone: 01 4173333

Email: [info@equality.ie](mailto:info@equality.ie)

Website: [www.equality.ie](http://www.equality.ie)

While the Equality Authority can provide you with information and assistance, it is the Equality Tribunal where official complaints in relation to equality legislation can be lodged.

The Equality Tribunal is the impartial forum to hear or mediate complaints of alleged discrimination under equality legislation. It is independent and quasi-judicial and its decisions and mediated settlements are legally binding.

The Equality Tribunal

3 Clonmel Street, Dublin 2

Locall: 1890 344 424

Telephone: 01 4774100

Email: [info@equalitytribunal.ie](mailto:info@equalitytribunal.ie)

Website: [www.equalitytribunal.ie](http://www.equalitytribunal.ie)

## Making a Complaint: Practical Advice

Make a careful record of the incident and keep copies of all correspondence of your complaint, including completed forms.

Contact witnesses to the incident and gather evidence that will support your complaint, for example, a written report by a doctor confirming your injuries if you suffered an assault.

### What can I do if I have been a victim of racism?

If it is a racist crime, you should report this to the Gardaí (police).

Racist crime can include:

- Assaults, including fatal assaults
- Damage to property
- Threatening behaviour, including verbal abuse and harassment
- Incitement to hatred
- Circulation of offensive material
- Graffiti

A racist incident is any incident perceived to be racially motivated by:

- the victim
- a member of the Gardaí
- a person who was present and witnessed the incident or
- a person acting on behalf of the victim

If you believe that you are a victim of a racist crime you should report it to your local Garda station or in an emergency dial 999 or 112. You can also contact the Garda Racial and Intercultural Office

Harcourt Square, Harcourt Street, Dublin 2

Telephone: 01 6663150/3817

Website: [www.garda.ie](http://www.garda.ie)

## Links

Irish Human Rights Commission works to ensure that the human rights of all people in the State are fully realised and protected, in law, in policy and in practice:

[www.ihrc.ie](http://www.ihrc.ie)

Telephone: 01 8589601

Email: [info@ihrc.ie](mailto:info@ihrc.ie)

Access Ireland provides cultural mediation for migrants:

[www.accessireland.ie](http://www.accessireland.ie)

Telephone: 01 8780589 / 8552111

Email: [info@accessireland.ie](mailto:info@accessireland.ie)