



Committee on the Rights of the Child
Human Rights Council and Treaty Mechanisms Division
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva
Switzerland

14 December 2022

RE: Additional Submission to the Committee on the Rights of the Child

Dear Sir/Madam,

The Irish Human Rights and Equality Commission ('the Commission') welcomes the opportunity to provide an additional submission to the Committee on the Rights of the Child ('the Committee'), in advance of the review of Ireland's combined fifth and sixth periodic reports during the 92nd session in January 2023.

This submission follows our close engagement with the Committee, including through the provision of comments to assist with preparation of the List of issues prior to reporting,¹ submission of a parallel report,² written statement, and participation in the 93rd pre-sessional working group meeting. The purpose of this correspondence is to update the Committee on relevant factual information and developments since the submission of IHREC's parallel report in August 2022.

We welcome a number of positive policy and legislative developments in recent months, including the publication of the *Family Courts Bill 2022* and Family Justice Strategy 2022-2025;³ the *Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022*;

¹ IHREC, [Submission to the UN Committee on the Rights of the Child on the List of Issues Prior to Reporting for the fourth periodic examination of Ireland](#) (2020).

² IHREC, [Ireland and the Rights of the Child](#) (2022).

³ *Family Courts Bill 2022* and Department of Justice, [Family Justice Strategy 2022–2025](#) (2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 53. With regard to the *Family Court Bill 2022*, we welcome the inclusion of provisions to ensure that there is no unreasonable delay in determining family law proceedings and that children are informed, as appropriate to their age and capacity and the nature of the proceedings, of developments and progress in the proceedings and the outcomes of the proceedings.

the National Traveller Health Action Plan 2022-2027;⁴ and the Youth Homelessness Strategy 2023-2025.⁵ We also welcome the introduction of an individual complaints mechanism under the *Online Safety and Media Regulation Act 2022*;⁶ Ireland's adoption of the 'Dublin Declaration' on preventing violence through gender equality;⁷ and the increased core funding for early learning and childcare services, including an improved wage structure for staff.⁸ However, the appendix to this letter sets out updated information on our ongoing concerns and further regressions in children's rights protections.

We look forward to continued engagement during the formal review of Ireland under the UN Convention on the Rights of the Child, and can further discuss the information presented in this letter as required. As Ireland's A-status National Human Rights Institution, we will be available to support the Committee's understanding of the domestic context and its questioning during the State hearing; to promote the outcomes of the process; and to monitor the implementation of the Concluding Observations to hold the State to account for its children's rights obligations.

Yours sincerely,



Sinéad Gibney
Chief Commissioner

⁴ Department of Health, [National Traveller Health Action Plan 2022-2027](#) (2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 68.

⁵ Government of Ireland, [Housing for All: Youth Homelessness Strategy 2023-2025](#) (2022). IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 82.

⁶ Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, [President Higgins Signs Crucial Online Safety and Media Legislation into Law](#) (10 December 2022). See also, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, [Written Answers](#) (27 September 2022). See also Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, [Report of the Expert Group on an Individual Complaints Mechanism](#) (2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 34.

⁷ Council of Europe, [European ministers adopt "Dublin Declaration" on preventing violence through equality](#) (2022). IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 38.

⁸ Department of Children, Equality, Disability, Integration and Youth and Department of Enterprise, Trade and Employment, ['Historic' new pay agreement to provide pay increases and wage structure for early learning and childcare workers - Ministers English and O'Gorman](#) (September 2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 54.

General measures of implementation

The Department of Children, Equality, Disability, Integration and Youth ('DCEDIY') published a blueprint for the new policy framework for children and young people 2023-2028 in August 2022 which is underpinned by children's rights principles.⁹ However, we are still awaiting the outcomes of evaluations of other sectoral equality strategies of relevance to children and their successor frameworks,¹⁰ including in the areas of Traveller and Roma inclusion, women and girls, migrant integration,¹¹ disability rights¹² and racism.¹³ In October 2022, the Commission made a submission to the Department of Social Protection's public consultation on the mid-term review of the Roadmap for Social Inclusion.¹⁴ We raised our concerns about the limited scope of the review, which focuses on existing targets and goals, rather than identifying and addressing gaps in the current framework.

We are of the view that the development and review of policy frameworks must be underpinned by international human rights and equality standards; ensure accountability for consistent inadequacies in implementation; and incorporate dynamic revisions as required, including to reflect the impact of the pandemic, Brexit, increasing climate change and environmental challenges, and the cost of living, housing and social inclusion crises. Policy measures must also be underpinned by the development of the national equality and human rights data infrastructure, accompanied by ring-fenced resources and capacity-building measures.

⁹ Department of Children, Equality, Disability, Integration and Youth, [Blueprint of the Policy Framework for Children and Young People](#) (2022).

¹⁰ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp. 16-17.

¹¹ As of November 2022, DCEDIY has commissioned a study to evaluate the processes for implementation of three equality strategies, the National Strategy for Women and Girls as well as the Migrant Integration Strategy and the National Traveller and Roma Inclusion Strategy. The study is expected to be published in early 2023, with work to build the new Strategies taking place thereafter. Department of Children, Equality, Disability, Integration and Youth, [Departmental Strategies](#) (17 November 2022).

¹² As of November 2022, DCEDIY was carrying out work to inform the development of the UNCRPD Implementation Plan but no concrete timeline is publically available. Department of Children, Equality, Disability, Integration and Youth, [Rights of People with Disabilities](#) (15 November 2022).

¹³ As of November 2022, DCEDIY intends to bring the National Action Plan Against Racism for Government approval in mid-January 2023. Department of Children, Equality, Disability, Integration and Youth [Departmental Strategies](#) (17 November 2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 24.

¹⁴ IHREC, [Submission to the Department of Social Protection's public consultation on the Roadmap for Social Inclusion: Mid-Term Review](#) (2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 54.

With regard to the proposed Corporate Sustainability Directive,¹⁵ we note recent civil society concerns about limitations in its scope and revisions to the text.¹⁶ Ireland's ongoing leadership role and expansive implementation of legal requirements in this area is vital.

Violence against children

We note that the first baseline evaluation of Ireland's implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence ('Istanbul Convention') by the Group of Experts on Action against Violence against Women and Domestic Violence ('GREVIO') is ongoing. We will be submitting a detailed parallel report to GREVIO in early 2023, in advance of the upcoming evaluation visit to Ireland in March 2023.

The *Mother and Baby Institutions Payment Scheme Bill 2022* was published on 17 October 2022, which proposes a payment scheme for survivors of Mother and Baby Homes and related institutions to be established on a statutory footing.¹⁷ We have significant ongoing concerns about this legislation¹⁸ which have yet to be addressed, including the six-month length of stay requirement¹⁹ and establishment of the Payment Scheme on an 'ex gratia' basis.²⁰ We encourage the Committee to consider this legislation in its engagement with the

¹⁵ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 21.

¹⁶ Trócaire, [Irish human rights coalition criticises dilution by EU member states of crucial legislation aimed at ending global corporate exploitation and abuse](#) (2022) and Oxfam Ireland, [New EU corporate accountability law 'riddled with loopholes'](#) (2022).

¹⁷ [Mother and Baby Institutions Payment Scheme Bill 2022](#). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp. 44-45.

¹⁸ The primary areas of concern that we have in relation to the Mother and Baby Institutions Payment Scheme Bill were stated in our Legislative Observations that were published in October 2022. These concerns relate to the recognition of harm; eligibility; access to legal representation; the institutions included within the Payment Scheme; and the ex gratia payment. See IHREC, [Submission on the General Scheme of a Mother and Baby Institutions Payment Scheme Bill](#) (October 2022).

¹⁹ The Bill includes a six-month length of stay requirement for a person who was resident as a child in a relevant institution to be eligible to apply to the Payment Scheme. All persons must also have been resident for 180 days (6 months) in a relevant institution to be eligible for the provision of health services without charge or if not ordinarily resident in the State, be entitled to a health support payment. It is estimated that approximately 19,500 mothers spent time in a Mother and Baby or County Home Institution, with just under 15,000 of these mothers spending less than six months there. In the case of people who spent time as institutions as children, it was estimated that of the approximately 38,500 people concerned, 24,000 spent less than six months in an institution. See IHREC, [Submission on the General Scheme of a Mother and Baby Institutions Payment Scheme Bill](#) (October 2022) pp. 1-2, 13.2 and Minister for Children, Equality, Disability, Integration and Youth, [Written Answers](#) (October 2022).

²⁰ Survivors are required to sign a waiver of any right of action before accepting an award. This was a particular concern of the Human Rights Committee during its 2022 review of Ireland: Human Rights Committee, [Concluding observations on the fifth periodic report of Ireland](#) (2022), paras 11-12.

State and the preparation of its concluding observations, to ensure the outstanding human rights and equality concerns are addressed.

In November 2022, we were before the High Court in a significant case challenging the Ex Gratia Scheme providing payments to victims of historic sexual abuse in schools.²¹ The case focuses on the requirement under the Scheme for survivors to have, on or before 1 July 2021, issued legal proceedings against the State seeking damages for sexual abuse in day schools before 1991 and 1992 in primary and post-primary schools respectively, and following the ruling of the European Court of Human Rights in *O’Keeffe v Ireland*. It is our view that this requirement is indefensible and discriminatory, and that the State must ensure the Scheme complies with international obligations.²²

With regard to child trafficking,²³ the Group of Experts on Action against Trafficking in Human Beings (‘GRETA’) published its third evaluation report on Ireland in September 2022. GRETA raised its concerns that the number of presumed child victims of trafficking is very low in Ireland and does not reflect the real situation, and that little attention is paid to the risks faced by Irish and EU children. GRETA urged Ireland to step up its efforts to combat child trafficking, including by putting in place a robust child protection system capable of enabling the identification of trafficking and ensuring that the revised National Referral Mechanism includes specialised and adapted procedures for children.²⁴ We repeated our concerns about the fact that no child victims of trafficking have been identified by the State in the past two years before a Parliamentary Committee in December 2022.²⁵

Disabled children

We continue to await statutory designation as the Independent Monitoring Mechanism under the UN Convention on the Rights of Persons with Disabilities.²⁶ As we prepare for this statutory designation we are focusing on raising disability rights issues in our domestic and international engagement, including that the Covid-19 pandemic had a disproportionate

²¹ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland’s combined fifth and sixth periodic reports](#) (2022), p. 44.

²² IHREC, [Commission Argues Legal Bar to Abuse Survivors Inclusion in State Redress Scheme is “Indefensible”](#) (23 November 2022).

²³ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland’s combined fifth and sixth periodic reports](#) (2022), p. 45.

²⁴ GRETA, [Evaluation Report: Ireland](#) (2022), pp. 5, 48-50.

²⁵ IHREC, [Commission Highlights ‘Gaps’ in Identifying Child Victims of Trafficking](#) (6 December 2022).

²⁶ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland’s combined fifth and sixth periodic reports](#) (2022), p. 7. As of December 2022, the Assisted Decision-Making (Capacity) (Amendment) Bill 2021 has been referred back to the lower house of Parliament, Dáil Éireann, and is due to be enacted in 2023. Seanad debates, [Assisted Decision-Making \(Capacity\) \(Amendment\) Bill 2022: Report Stage](#) (29 November 2022).

impact on disabled children in areas ranging from health to education.²⁷ A recent poll carried out by the Commission reported that more than 8 in 10 Irish people (83%) agree that disabled people face barriers to participating in Irish life, and that a significant proportion of disabled people have experienced discrimination within the past year.²⁸

The review of the *Education for Persons with Special Educational Needs (EPSEN) Act 2004* has commenced, and there is an ongoing consultation process since 30 November 2022.²⁹ We will engage in this review to ensure children's rights standards are fully embedded in the reform, including through the submission of observations in early 2023.

Basic health and welfare

We published our submission to the Review of the *Health (Regulation of Termination of Pregnancy) Act 2018* in November 2022.³⁰ We recommended that the Act be equality proofed to guarantee the universality and equality of access to abortion services for all women and girls, especially structurally vulnerable groups,³¹ and that the current gaps in the provision of abortion care services are identified and addressed. We also recommended the removal of the mandatory waiting period under the Act.³² We published our submission on the *General Scheme of the Health (Termination of Pregnancy Services (Safe Access*

²⁷ While the Department of Health has established a Public Health Reform Expert Advisory Group on the lessons that can be learned from the pandemic, the Taoiseach (Head of Government) noted in November 2022 that we do need a wider evaluation of Ireland's response to the Covid-19 pandemic. Dáil Debates, [Cabinet Committees](#) (30 November 2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp. 11-12, 34.

²⁸ IHREC, [More than 8 in 10 Say Disabled People Face Barriers to Participation in Society](#) (3 December 2022).

²⁹ IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp 64-65. Department of Education, [EPSEN Review Consultation](#) (2022).

³⁰ IHREC, [Submission to the Review of the Health \(Regulation of Termination of Pregnancy\) Act 2018](#) (2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 70.

³¹ This includes victims of domestic violence, rural women and girls, women and girls living in poverty, disabled women and girls, asylum seekers, women and girls from ethnic or religious minorities, migrants, undocumented individuals, and temporary residents such as international students or women and girls from Northern Ireland.

³² Section 12 of the Act prohibits a termination of pregnancy from being carried out unless no less than three days have passed since the initial consultation where it was verified that the gestational age of the pregnancy had not exceeded 12 weeks. See IHREC, [Submission to the Review of the Health \(Regulation of Termination of Pregnancy\) Act 2018](#) (2022), pp. 16-17.

Zones)) *Bill 2022* in September 2022,³³ and have called on the State to progress this legislation as soon as possible.³⁴

With regard to sexual and reproductive health ('SRH') education,³⁵ we provided our views as part of the consultation on the curriculum for Junior Cycle in October 2022 and called for the following considerations to be taken into account: SRH education should be compulsory in practice; scientifically accurate and evidence-based; inclusive; non-judgemental; and comprehensive.³⁶ In particular, the curriculum must be adapted to cater to and ensure access for students with diverse gender and sexual identities, ethnic minority students, and disabled students across all impairment groups, including disabled students in institutional settings.

The cost of living, housing and social inclusion crises have continued to worsen,³⁷ with 3,480 children accessing emergency accommodation at the end of October 2022.³⁸ New data published by the Central Statistics Office on child deprivation³⁹ reported that 9.7% of one-parent households could not afford to pay for school trips or events for their children compared with 2% of two-parent households. 20.6% of households where nobody worked were unable to afford regular leisure activities for their children;⁴⁰ and 9.6% of households that rent⁴¹ and 10.3% of households without an Irish-born parent⁴² could not afford new clothes for their children. A recent poll carried out by the Commission reported that 55% of parents with children under 16 are worried that there will be some periods in the next twelve months when they won't have enough money to cover household energy costs, and only 30% believe they are receiving enough energy support from the State.⁴³ 88% of parents

³³ IHREC, [Submission on the General Scheme of the Health \(Termination of Pregnancy Services \(Safe Access Zones\)\) Bill 2022](#) (September 2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 72.

³⁴ The Joint Committee on Health discussed this General Scheme on 9 November 2022 but there is no concrete timeline for its finalisation and enactment. Joint Committee on Health, [General Scheme of the Health \(Termination of Pregnancy Services \(Safe Access Zones\)\) Bill 2022: An Garda Síochána](#) (9 November 2022).

³⁵ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp. 72-73.

³⁶ IHREC, [Letter to the Public consultation on Draft Junior Cycle SPHE Short Course Curriculum Specification](#) (17 October 2022). The Third National Strategy on Domestic, Sexual and Gender-Based Violence sets out no timeline on the rollout of the updated SRH junior cycle curriculum but advises that CPD and national rollout will follow after public consultation which has now ended: Government of Ireland, [Third National Strategy on Domestic, Sexual and Gender-Based Violence: Implementation Plan](#) (28 June 2022), p. 11.

³⁷ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), pp. 78-82.

³⁸ Department of Housing, Local Government and Heritage, [Monthly Homelessness Report](#) (October 2022).

³⁹ [SILC Module on Child Deprivation 2021](#).

⁴⁰ This compares with 5.2% of households where one person worked and less than 1% (0.6%) of households with two workers.

⁴¹ This compares with 1.1% of owner-occupied households.

⁴² This compares with 2.8% of households with at least one Irish-born parent.

⁴³ The data for IHREC's annual poll was collected by Amárach Research via an online poll between 10-21st November 2022, administered to 1200 participants aged 18 or over.

with children under 16 plan to reduce their heating and energy consumption to reduce household costs, and 58% are worried that there will be some periods in the next twelve months when they won't have enough money to cover household food. Furthermore, the majority of people in Ireland believe that housing is a basic human right (80%), which should be protected in the Constitution (64%).⁴⁴

Commission-supported research published in September 2022 highlighted that there is no data on child poverty at a regional, county or electoral area/district level, or official food poverty indicator in Ireland.⁴⁵ This research also highlighted the gender dimension of poverty, and the impact of housing, childcare and medical costs and food poverty on women-led one-parent families.⁴⁶ Other Commission-supported research published in November 2022 highlights similar concerns, and notes that inflation has been experienced unevenly across the Irish population and is deepening and eroding the living standards of lower-income households.⁴⁷ We are of the view that welfare supports should be indexed to wages and that an Indexation Commission should be tasked with assessing and recommending an appropriate reference point,⁴⁸ and would welcome focus on this in the observations to the State.

Special protection measures

Further to our concerns raised on the housing rights of Traveller children and their families in Ireland,⁴⁹ we are now using our legal powers under Section 32 of the *Irish Human Rights and Equality 2014 Act* to invite seven local authorities to prepare and implement an Equality Action Plan on the provision of Traveller accommodation and services.⁵⁰ This is an area where advancements have been very slow to materialise, and we encourage the local authorities to work positively and progressively with us through this process to achieve best practice in providing accommodation to Traveller communities nationwide.

⁴⁴ See IHREC, [Robust Support Continues for Refugees Says New National Survey on International Human Rights Day](#) (10 December 2022).

⁴⁵ Conor McCabe, [Towards an Anti-Poverty Strategy for Clare](#) (Clare Public Participation Network: September 2022), p. 28.

⁴⁶ Conor McCabe, [Towards an Anti-Poverty Strategy for Clare](#) (Clare Public Participation Network: September 2022), pp. 34-35. The recent poll carried out by the Commission with 1,200 participants reported that for 78% of parents with children under the age of 16, affordable, accessible childcare is very important to work and family life.

⁴⁷ EAPN Ireland, [More Than Just A Temporary Crisis: The growing need for support with basic necessities and the impact on Low-Income Households and the Community and Voluntary Sector](#) (2022).

⁴⁸ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 79.

⁴⁹ See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 95.

⁵⁰ IHREC, [IHREC uses Legal Powers to ask Local Authorities to Prepare and Implement Equality Action Plan on Traveller Accommodation](#) (7 December 2022). The local authorities are: South Dublin, Limerick City and County, Tipperary, Donegal, Mayo, Cork City and Wicklow.

As of 24 November 2022, DCEDIY is accommodating over 64,500 people seeking international and temporary protection, compared to 7,000 people in November 2021. Due to the pressures on the system, it is reviewing the projected timelines and deliverables in the 'White Paper to end Direct Provision and to establish a new International Protection Support Service'.⁵¹ We have growing concerns about the delays in progressing reform,⁵² given the deteriorating conditions faced by children and their families seeking international and temporary protection and the regression in standards.⁵³ A recent poll carried out by the Commission reported that 64% of people in Ireland agree that those in the Direct Provision system experience racism and discrimination, while 68% believe the State should set a clear date to end Direct Provision.⁵⁴

We note calls for an immediate cross-Government co-ordinated approach to finding emergency accommodation and the establishment of a State agency for the accommodation and integration of asylum seekers.⁵⁵ Reports about newly arrived international and temporary protection applicants being informed that there is no accommodation available for them demonstrate the extremely serious situation in Ireland.⁵⁶ While the Health Information and Quality Authority is currently establishing its role as the independent monitoring mechanism of accommodation centres, inspections of emergency accommodation settings will not be carried out. This is of particular concern given the State's increased and longer term use of emergency accommodation for applicants for international and temporary protection.⁵⁷

We published our submission on the General Scheme of the Inspection of Places of Detention Bill in October 2022.⁵⁸ We recommended a number of amendments to the

⁵¹ Department of Children, Equality, Disability, Integration and Youth, [Direct Provision System](#) (1 December 2022).

⁵² J. Bray, [Plan to end direct provision by 2024 no longer possible, says expert](#) (Irish Times, 28 November 2022).

⁵³ Children's Rights Alliance, [Government must ensure the children and families are not in freefall – says Children's Rights Alliance at conference on the White Paper to End Direct Provision](#) (6 December 2022) and Irish Refugee Council, [Accommodation Crisis 2022: Response and Recommendations](#) (5 October 2022), p. 3.

⁵⁴ IHREC, [Robust Support Continues for Refugees Says New National Survey on International Human Rights Day](#) (10 December 2022).

⁵⁵ J. Bray, [Signs Ireland's warm welcome to refugees could change, experts warn](#) (Irish Times, 23 November 2022) and Irish Refugee Council, [Accommodation Crisis 2022: Response and Recommendations](#) (5 October 2022).

⁵⁶ Irish Refugee Council, [Accommodation Crisis 2022: Response and Recommendations](#) (5 October 2022), p. 2 and C. Feehan and C. O'Loughlin, [More Ukrainian refugees told no accommodation for them in Ireland at moment](#) (Irish Independent, 23 October 2022).

⁵⁷ Human Rights Committee, [Concluding Observations on the fifth periodic report of Ireland](#) (2022), paras 37-38 and Houses of the Oireachtas, [Dáil Éireann Debate- Direct Provision System](#), 26 July 2022. In October 2022, the Irish Refugee Council noted that it has been alerted to grievous risks to women and children accommodated in emergency centres unfit for purpose, and that such accommodation must be used for the shortest time possible: [Accommodation Crisis 2022 – Response and Recommendations](#) (October 2022).

⁵⁸ IHREC, [Submission on the General Scheme of the Inspection of Places of Detention Bill](#) (2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 101.

legislation, including to extend the scope to *de facto* detention where deprivation of liberty or detention may occur, such as the transfer of children outside of Ireland, Direct Provision and asylum-seeking children accommodated in privately run centres, and State procured services.⁵⁹ We note the rise in children detained in Oberstown, with 27 children serving remand orders and 23 children serving committal orders in November 2022. The average length of a remand order is 56 days.⁶⁰

⁵⁹ IHREC, [Submission on the General Scheme of the Inspection of Places of Detention Bill](#) (2022), p. 34.

⁶⁰ Oberstown Children Detention Campus, [Statistical Breakdown of Young People on Campus](#) (November 2022) and Oberstown Children Detention Campus, [Our Strategy 2022-2026](#) (November 2022). See IHREC, [Ireland and the Rights of the Child: Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports](#) (2022), p. 102.