

CORI JUSTICE COMMISSION

Submission to Office of Social Inclusion Consultation on preparation of Ireland's National Action Plan against Poverty and Social Exclusion 2006-08

October 2005

Context of this Submission

Despite the advances in employment and economic growth achieved over the last few years, the phenomena of poverty and social exclusion remain large. Their sustained existence remains as one of this country's major failures.

CORI Justice Commission believes that the new National Action Plan should contain clear objectives and priorities, set specific targets which it is possible to monitor, be integrated in to playing a central role in national decision making and commit Government to providing the necessary resources to make a substantial impact on eliminating poverty and social exclusion. Furthermore, the strategies and measures it adopts should conform to the following five principles: human dignity; non-discrimination; social justice; universal and structural social policy; and human rights.

Poverty in Ireland

The most up-to-date data available on poverty in Ireland comes from the 2003 *EU-SILC* survey, conducted by the CSO. Table 1 presents their key findings showing poverty levels among the Irish population. Using the EU poverty line set at 60 per cent of median income, the findings reveal that in 2003 more than one in every five of those living in Ireland were living in poverty. The table also indicates that there has been a sustained growth in the proportion of the population living below these lines. Data for 1998, 2000, 2001 and 2003 show that the proportion of the population in poverty has risen from 19.8 per cent in 1998 to 22.7 per cent in 2003. These are the only years for which comparable data has been provided.

Table 1: Percentage of population below relative income poverty lines, 1998-2003	1998	2000	2001	2003
50% median income line	9.9	12.0	12.9	11.1
60% median income line	19.8	20.9	21.9	22.7
70% median income line	26.9	28.1	29.3	29.4

Source: CSO (2005a:5), using national equivalence scale

As it is sometimes easy to overlook the sheer scale of Ireland's poverty problem it is useful to translate the poverty percentages into numbers of people. Using the percentages for the 60 per cent poverty line above and population statistics from the CSO (2003:48) we can calculate the numbers of people in Ireland who have been in poverty for the years 1998, 2000, 2001

and 2003. These calculations are presented in table 2 below. The results give a better insight into how large the phenomenon of poverty is.

	% of persons in poverty	Population of Ireland	Numbers in poverty
1998	19.8	3,703,000	733,194
2000	20.9	3,789,500	792,005
2001	21.9	3,847,100	842,515
2003	22.7	3,978,800	903,188

Source: Calculated using CSO (2005a: 5), national equivalence scale and CSO (2003:48)

The fact that there are now more than 900,000 people in Ireland living life on a level of income that is this low must be a major concern. As we have shown in our Socio-Economic Review (*Pathways to Inclusion* p21) these levels of income are not unreasonable and those below them clearly face difficulty in achieving what the NAPS described as “a standard of living that is regarded as acceptable by Irish society generally”.

Ireland's Poor

The results of the EU-SULC survey provided a breakdown of those who are poor. Table 3 presents figures for the risk of poverty facing people when they are classified by their principal economic status. These risk figures represent the proportion of each group that are found to be in receipt of a disposable income that is less than the 60 per cent median income poverty line.

	Male	Female	Total
At work	9.8	8.4	9.2
Unemployed	48.5	28.7	42.1
Students and school attendees	37.4	24.9	30.3
On home duties	*	37.0	37.0
Retired	32.2	*	31.0
Ill/disabled	51.6	58.1	54.0
Other	71.9	*	53.1
Total	22.0	23.4	22.7

Source: CSO (2005a:9), using national equivalence scale

Note: * no recorded figure as sample occurrences were too small for estimation

As such, the group of the Irish population that are at highest risk of poverty are the ill and people with a disability. More than one in every two people who are classified as ill/disabled live in poverty. Apart from those classified as others, the next biggest group at risk of poverty are the unemployed. 42 per cent of this group live in poverty and when broken down by gender the table shows that the risk levels are much greater for unemployed males. More than one in three of those on home duties (primarily women) live with incomes below the poverty line while a similar figure (31 per cent) is recorded among

those who are retired. A closer assessment of the risk levels of poverty among the retired reveals that their risk of poverty rate has climbed to its current level from a rate of 8.2 per cent in 1994 (see Whelan et al, 2003:24). Students, whether living in poor families while completing their secondary education or while attending post-secondary education also have a high poverty rate at 30.3 per cent. The lowest poverty risk figure is recorded for those at work (employees, self-employed, farmers) with just under one in every ten of this group living below the poverty line.

One obvious conclusion to draw from table 3 is that the highest risk of poverty levels is concentrated among those dependent on the social welfare system. As CORI Justice Commission has pointed out for some time, it is essential that adequate welfare payments are provided for these groups so that their poverty is addressed and reduced.

Key Groups:

(i) Poverty and Social Welfare Recipients

CORI Justice Commission has always pointed out the very important role that social welfare plays in addressing poverty. Our continued campaign to increase the rates of social welfare reflects this belief. As part of the EU-SILC results the CSO have provided an interesting insight into the role that social welfare payments play in tackling Ireland's poverty levels. They have calculated what the levels of poverty are before and after the payment of social welfare benefits. Table 4 presents these results and shows that without the social welfare system Ireland's poverty rate in 2003 would have been 38.4 per cent. The actual poverty figure of 22.7 per cent reflects the fact that social welfare payments reduced poverty by 15.7 per cent. The small increases in social welfare in 2000 and 2001 are reflected in the smaller effects achieved in those years. As the government commits more money to social welfare payments, as agreed under the *NAPS* and *Sustaining Progress*, these figures measuring the role of social welfare in reducing poverty will increase.

Table 4: The role of social welfare payments in addressing poverty	1998	2000	2001	2003
Poverty levels before social welfare	36.8	35.3	35.6	38.4
Poverty levels after social welfare	19.8	20.9	21.9	22.7
The role of social welfare	-17.0	-14.4	-13.7	-15.7

Source: CSO (2005a:8), using national equivalence scale.

As social welfare payments do not flow to everybody in the population it is interesting to examine the impact they have on alleviating poverty among certain groups such as the elderly. Without any social welfare payments 82.5 per cent of all those aged over 65 years in Ireland would be living in poverty. Benefit entitlements reduce the poverty level among this group to 36.4 per cent. While this poverty rate is still very high, the fact that more than eight out of every ten of the elderly would be in poverty without benefits underscores the importance of these payments to the elderly.

Many of the groups in Irish society who have experienced increases in their poverty levels over the last decade have been dependent on social welfare payments. These include pensioners, the unemployed, lone parents and those who are ill or people with a disability. Table 5 presents the results of an analysis of five key welfare recipient groups performed by the ESRI using poverty data for five of the years between 1994 and 2001. These are the years that the Irish economy grew fastest and the core years of the famed 'Celtic Tiger' boom. Between 1994 and 2001 all categories experienced large growth in their poverty risk. For example, in 1994 only 5 in every 100 old age pension recipients were in poverty; in 2001 this had increased ten-fold to almost 50 in every 100. The experience of widow's pension recipients is similar.

Table 5: Percentage of persons in receipt of welfare benefits/assistance who are below the 60 per cent median income poverty line, 1994/1997/1998/2000/2001					
	1994	1997	1998	2000	2001
Old age pension	5.3	19.2	30.7	42.9	49.0
Unemployment benefit/assistance	23.9	30.6	44.8	40.5	43.1
Illness/disability	10.4	25.4	38.5	48.4	49.4
Lone Parents allowance	25.8	38.4	36.9	42.7	39.7
Widow's pension	5.5	38.0	49.4	42.4	42.1

Source: Whelan et al (2003: 31).

The lesson to be learnt from table 5 centres on the inadequacy of social welfare payments. Throughout the last decade CORI Justice Commission has repeatedly pointed out how these have failed to rise in proportion to earnings elsewhere in society. The primary consequence of this is that recipients have slipped further and further back and as a consequence more and more have fallen into poverty. It is clear that adequate levels of social welfare need to be delivered and we outline our proposals for this below.

(ii) Child poverty

One of the most vulnerable groups in any society are children and consequently the issue of child poverty is one that deserves particular attention. In 2003 there were approximately 895,022 children aged between 0 and 15 years living in Ireland.¹ Of these table 6 indicates that one in four were living in poverty. This amounts to 223,756 children. The scale of this statistic is shocking. Given that our children are our future, this finding is not acceptable. Furthermore, the fact that such a large proportion of our children are living in poverty has obvious implications for the education system and the success of these children within it. The new National plan must consider the scale of this problem.

¹ This figure is calculated from a combination of data from the CSO (2003:48) and results from Census 2002 (2003, volume 2: 27).

	Male	Female	Total
Children (under 16 years)	25.5	24.4	25.0

Source: CSO (2005a:9), using national equivalence scale.

(iii) Older people

According to Census 2002 there are 392,836 people aged over 65 living in Ireland and of these 113,826 live alone. When poverty is analysed across the age groups dramatic differences between the young, middle aged and old are visible. The 2003 figures show that 20.1 per cent of all those aged between 15-64 live in relative income poverty while 36.4 per cent of those aged 65 and over are in this situation.

Over time the risk of being in poverty has increased sharply for the elderly. Table 7 shows how the proportion of older people who are in poverty changed between 1994 and 2003. In 1994 this stood at 5.9 per cent, by 1998 it had risen to 32.9 per cent and in 2001 it peaked at 44.1 per cent. The most recent set of figures for 2003 suggest that this has decreased slightly to a position where over one in three of Ireland's elderly are living in poverty. While this recent decrease is to be welcomed, it remains a concern that so many of this country's senior citizens are living on so little.

	1994	1997	1998	2000	2001	2003
Aged 65 +	5.9	24.2	32.9	38.4	44.1	36.4

Source: Whelan et al (2003: 28) and CSO (2005a:9).

(iv) The Ill /Disabled

As table 3 showed the ill and people with disabilities are the group with the highest risk of poverty with 54 per cent of this group living in poverty. Over time the situation of this group has visibly deteriorated with previous poverty studies by the ESRI showing that this group's risk of poverty has increased rapidly over the last decade, climbing from 29.5 per cent in 1994 (Whelan et al, 2003:24). This dramatic increase in the risk of poverty is an issue of concern. It implies that in 1994 approximately three out of every ten persons who are ill or people with a disability were in poverty and that by 2003 this had increased to over five out of every ten. Consequently, although the ill and people with a disability only account for a small proportion of those in poverty, among themselves their experience of poverty is worryingly high. CORI Justice Commission believes there is a clear need to initiate targeted policies to assist this group. These include job creation, retraining (see section on work) and increases in social welfare supports. There is also a very strong case to be made for introducing a non-means tested cost of disability allowance.

(v) The working poor

The growth in jobs over recent years has been dramatic and many have benefited from the rapid rise in the number of jobs available. However, it is important to realise that having a job is not, of itself, a guarantee that one lives

in a poverty-free household. As table 3 indicates 9.2 per cent of those in employment are living at risk of poverty. Translating this into numbers of people suggests among the 1.74 million in employment in Ireland in 2003, almost 160,000 were living at risk of poverty.² This is a remarkable statistic. Action is urgently required to address this problem.

Poverty and Gender

Consistently, the results of income surveys indicate that among all adults, women in Ireland experience a greater risk of poverty than men. Table 8 presents the picture for 2003.

Across all adults, women are at a higher risk of poverty than men. The difference is particularly pronounced in the age group over 65. In that group, 40.7 per cent of women are at risk of experiencing poverty, compared to 30.6 per cent of men. The greater dependency of elderly women on social welfare payments and pensions, whose growth has lagged behind average income growth, is a central part of the reason behind this trend.

As noted earlier in table 3, the 2003 data record that 37 per cent of those working full time in the home were living in poverty. Since 1994 this figure has almost doubled, from 20.9 per cent (see Whelan et al, 2003:24). The 2003 EU-SILC results also indicate that 44.9 per cent of all single-adult households and 42.3 per cent of single-parent households were in poverty (CSO, 2005a:9). All these classifications are households primarily headed by women and help to further explain the growth and scale of female poverty risk.

Table 8: Risk of poverty by gender and age in 2003			
	Males	Females	Total
Age 0-14	25.7	22.2	23.9
Age 15-64	19.6	20.6	20.1
Age 65+	30.6	40.7	36.4
Total	22.0	23.4	22.7

Source: CSO (2005a:5), using national equivalence scale.

Poverty in Ireland: The European Context

In framing this report, it is important that we recognise Ireland's experience of poverty in the context of the other 24 EU member states.

² Figures calculated using the risk of poverty figures in table 3.4 and results from the Quarterly National Household Survey (CSO, December 2004: 20).

Country	Poverty Risk	Country	Poverty Risk
IRELAND	21.3	Austria	13
Slovakia	21	Belgium	13
Greece	20	France	12
Spain	19	Netherlands	12
Portugal	19	Finland	11
Italy	19	Sweden	11
Estonia	18	Luxembourg	10
United Kingdom	18	Hungary	10
Lithuania	17	Slovenia	10
Poland	17	Denmark	10
Latvia	16	Malta	10
Germany	15	Czech Republic	8
Cyprus	15	EU-25 Average	14.6

Sources CSO, 2005a:5; CSO, 2005b:40, Eurostat, Statistics in Focus 12/2004: 3 and 16/2004: 10

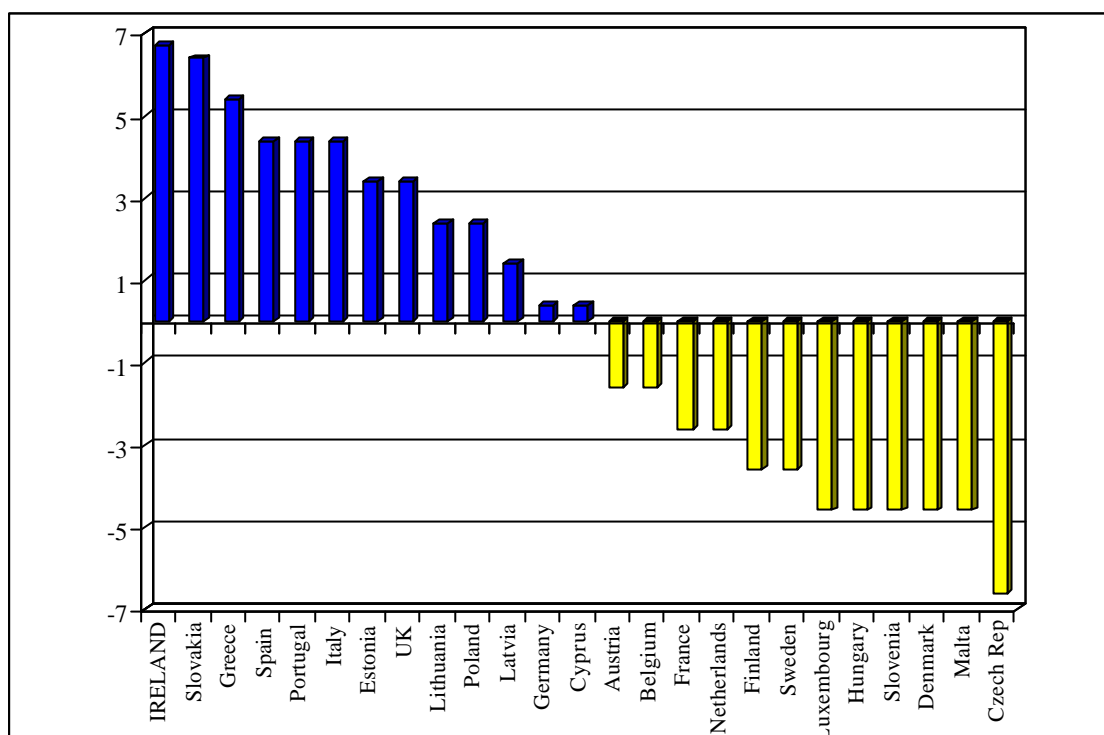
Note: Greece, Italy, Belgium and Denmark data from 2001; Malta data from 2000.

Irish people experience the highest risk of poverty when compared to the other 24 member states of the EU. Table 9 uses data published by the CSO and Eurostat reporting the 'at risk of poverty' rates calculated using the 60 per cent of median income poverty line in each country. The risk of poverty which Irish people face is 3.3 per cent higher than that in the UK, 11 per cent higher than in Luxembourg, Hungary, Slovenia, Denmark and Malta. The lowest poverty risk levels are in the Czech Republic (8 per cent) and the second highest are in Slovakia.³

The average risk of poverty in the EU-25 is 14.6 per cent. Chart 1 develops the findings in table 9 further and calculates the difference between national poverty risk levels and the EU-25 average. It reflects the fact that Ireland's poverty problem is large and exceptional by European standards. It also underscores the need for Ireland and the new National Plan to address this issue with greater vigour.

³ Data are comparable across all countries and calculated in accordance with the methodology outlined in the Laeken indicators.

Chart 1: Percentage difference in National Poverty risk from EU-25 average



Source: Calculated from CSO, 2005a:5; CSO, 2005b:40, Eurostat, Statistics in Focus 12/2004: 3 and 16/2004: 10

Notes: EU-25 average poverty risk is 14.6 per cent
See data source notes attached to table 9 above

Key Policy Initiatives for the National Action Plan

In the context of the above, and with regard to the objectives identified in the consultation document, CORI Justice Commission believe that the following are key policy initiatives required in the new National Plan.

1. Achieving an Adequate Level of Social Welfare

In 2002, the NAPS review set the following as key targets:

To achieve a rate of €150 per week in 2002 terms for the lowest rates of social welfare to be met by 2007 and the appropriate equivalence level of basic child income support (i.e. child Benefit and Child Dependent Allowances combined) to be set at 33 per cent - 35 per cent of the minimum adult social welfare payment rate.

CORI Justice Commission welcomed this target. It is a major breakthrough in social, economic and philosophical terms. We also welcomed the reaffirmation of this target in *Sustaining Progress*. The target of €150 a week is equivalent to 30 per cent of Gross Average Industrial Earnings (GAIE) in 2002. This means that social welfare rates will be benchmarked to increases

in average industrial wages from now on. If this commitment is delivered upon it will mean that the gap between the present level of the lowest social welfare payments and 30 per cent of GAIE will be bridged during the next National Plan.

CORI Justice Commission has calculated the projected growth in €150 between 2002 and 2007 when it is indexed to the estimated growth in GAIE. Table 10 presents the expected growth rates and calculates that the lowest social welfare rates for single people should reach €185.80 by 2007.

	2002	2003	2004	2005	2006	2007
% Growth of						
GAIE	-	+6.00	+3.00	+4.50	+3.60	+4.80
30% GAIE	150	159.00	163.77	171.14	177.30	185.80

Source: GAIE growth rates from CSO Industrial Earnings and Hours Worked (September 2004:2) and ESRI Medium Term Review (Bergin et al, 2003:49).

Following Budget 2005 the current minimum level of social welfare is €148.80 a week. Consequently, the gap to be bridged in the next two budgets (2006 & 2007) is €37. To fulfil the NAPS commitment the average increase in the minimum level of unemployment assistance across the next two budgets must be €18.50 a year. Table 11 proposes the updated scale of increase for social welfare for 2005 to 2007.

	2005	2006	2007
Min. SW. payment in €s	148.80	165.80	185.80
€ amount increase each year	-	17.00	20.00

CORI Justice Commission has strongly urged government to honour its commitment in this area and to provide these increases in the years ahead. The earlier poverty figures underscore the inadequacy of social welfare payments throughout the last few years and make clear the need for increasing social welfare payments to an adequate level.

An important element of the NAPS commitment to increasing social welfare rates is the acknowledgement that the years from 2002-2007 marks a period of 'catch-up' for those in receipt of welfare payments. Once the existing gap has been bridged the increases necessary to keep social welfare payments at a level equivalent to 30 per cent of GAIE become much smaller. To make this point, CORI Justice Commission has calculated the increases necessary from Budget 2008 (delivered in December 2007) onwards to 2010 needed to maintain the link with 30 per cent of GAIE. Table 12 shows that the increases over these periods only need to correspond to the growth of GAIE in that year. Using projections from the ESRI these suggest an average increase of approximately €10 a year from 2008.

	2007	2008	2009	2010
% Growth of GAIE		+5.20	+5.60	+5.60
30% GAIE updates	185.80	195.40	206.40	217.90
€ amount increase each year	-	+9.60	+11.00	+11.50

Source: GAIE growth rates from ESRI Medium Term Review (Bergin et al, 2003:49).

2. Recognising All Work

A major question being raised by the current labour-market situation concerns assumptions underpinning culture and policy making in this area. One such assumption concerns the priority given to paid employment over other forms of work. Most people recognise that a person can work very hard even though he or she does not have a conventional job. Much of the work done in the community and in the voluntary sector fits under this heading. So too does much of the work done in the home.

The need to recognise voluntary work has been acknowledged in the government's White Paper, *Supporting Voluntary Activity* and by the Taoiseach who has stated that: "voluntary activity forms the very core of all vibrant and inclusive societies". A recent report presented to the Joint Oireachtas Committee on Arts, Sport, Tourism, Community Rural and Gaeltacht Affairs provided one small insight into this issue. It establishing that the cost to the state of replacing the 475,000 volunteers working for charitable organisations would be a minimum of €205m and could cost up to €485m per year.

The report of the National Committee on Volunteering entitled *Tipping the Balance* (October 2002) stands as a welcome acknowledgement of this role. The report was prepared to mark the UN International Year of the Volunteer 2001 by representatives of numerous voluntary organisations in Ireland, including CORI's Justice Commission. The report suggested a series of recommendations to assist in the future development and recognition of voluntary activity throughout Ireland. In the light of the commitment to 'promote social capital' in the *Programme for Government* (2002). CORI Justice Commission is hopeful that the recommendations of this report will be implemented by government. In addressing issues of participation in employment, the new National Plan should incorporate these proposals and in doing so recognise the many different form that 'work' takes.

3. Addressing Long-term Unemployment and Youth Unemployment

While the employment situation in Ireland has dramatically improved over the last number of years, the issues of long-term unemployment and youth unemployment remain a concern.

Of the 85,600 people unemployed in November 2004, 56,700 were unemployed for less than one year, while 28,900 were long-term unemployed. This figure marked a substantial increase of over 4,000 individuals in long-term unemployment since 2002. However, the 2004 long-term unemployment rate of 1.5 per cent is considerably smaller than the 10.4 per cent recorded in 1988 and marks a major decrease in the level of structural unemployment. It also illustrates the extent to which Irish unemployment levels are now dominated by frictional factors. However, the return of cyclical unemployment in late 2001, and throughout both 2002 and 2003, underscores the necessity to maintain a focus on ensuring that the long-term unemployment problem is not allowed to return.

The new National plan should therefore address this issue. This is particularly important given that the NAPS Review (2002) set down as a key target: “to eliminate long-term unemployment as soon as circumstances permit but in any event not later than 2007”. Consequently it is of concern that the numbers classified as long-term unemployed increased so significantly in the last two years. To date, little progress has been made towards achieving this target.

An examination of the age structure of the unemployed indicates a growing problem of youth unemployment. As table 13 shows, this is particularly of concern among those aged 15-19. During 2004 their unemployment rates have increased from 12.2 per cent to 13.4 per cent. For those aged 20-24 their unemployment rate has remained very high at 7.1 per cent in 2004. In the context of an overall unemployment rate of 4.3 per cent these figures are of concern. Furthermore, the rate of increase in unemployment among this group remains a major issue. Given the projections for further increases in unemployment in the years ahead, the fate of any low-skilled individuals who have become unemployed is a concern. Depending on the extent of the economic slowdown, the potential for these individuals to become long-term unemployed must be monitored.

Age Group	Sep-Nov 2003	Sep-Nov 2004	Change
15-19	12.2	13.4	+1.2%
20-24	7.6	7.1	-0.5%
25-34	4.4	4.0	-0.4%
35-44	3.5	3.4	-0.1%
45-54	3.4	3.4	-
55-59	2.7	2.8	+0.1%
60-64	2.4	1.9	-0.5%
65+	-	0.3	+0.3%
Overall	4.5	4.3	-0.2%

Source: CSO, QNHS March 2005:16

Another factor relevant to any assessment of youth unemployment is its association with other societal problems and in particular suicide. The results of an eight-year study of suicides in County Kildare (1995-2002) was recently published in the *Journal of Clinical Forensic Medicine* by McGovern and Cusack (2004). One of their key findings was that unemployed males under the age of 30 were the most likely group to commit suicide.

4. Increasing the Supply of Social Housing

During the last decade improved levels of economic growth combined with low interest rates resulted in high levels of housing inflation. This in turn resulted in a crisis in housing provision in both the public and the private sectors. In the private sector this crisis is evident from the rapid increase in house prices and from the severe difficulties experienced by first-time buyers seeking affordable houses. In the public sector the demand (waiting lists) for public housing has increased substantially in the past five years at a time when house building in the public sector has been at a very low level.

At the end of 2004 the National Economic and Social Council (NESC) published a major report on housing. In particular, the report makes important suggestions for policy initiatives focused on social housing (see table 14). Overall, NESC concluded that it was particularly concerned about two issues. These are:

- the quality of the neighbourhoods, villages, towns and cities being constructed in Ireland, and
- the provision of social and affordable housing

They also stressed that adequately addressing these two issues will not be easy and that “the magnitude and significance of this challenge needs to be recognised”.

A central conclusion of the NESC housing report is that the supply of social housing will have to rise dramatically if the needs of Irish society are to be addressed in the years ahead. The main recommendation of the Council on

the issue of social housing is outlined in table 14 and saw it call on Government to “create an expanded and more flexible stock of social housing - adding in the order of 73,000 permanent social housing units to bring the stock to 200,000 dwellings by 2012 - in a manner that is consistent with other public investment needs and sound public finances” (2004:221).

Table 14: The role of social housing in Ireland in 2012

	2012
Total number of dwellings	1,653,000
Social housing as a % of total	12.0
Number of social housing units	200,000
Population of Ireland	4,505,000
Social housing units per thousand	44.4

Source: Data are based on NESC projection (2004:152-153) and CSO (2004:26) projections for 2011 (assumption M1F1).

The figure of 200,000 social housing units has been calculated based on the projected increases in the Irish population over that period and in the context of limited responses to existing social housing needs (e.g. homelessness, community based accommodation for people with a disability and elderly persons). The scale of the challenge facing Irish society can be gauged from the fact that at the end of 2004 the total stock of social housing (including units managed by both local authorities and the voluntary and cooperative housing sector) stood at about 127,000.

NESC concluded that to achieve the target of 200,000 units over the eight year period between 2005 and 2012, an annual increase of in excess of 9,000 units is necessary. They also pointed out that an estimated capital investment of €1.4bn a year would be required to achieve a net increase of 73,000 units by 2012. Given the present level of capital expenditure this would mean an additional investment per annum of the scale of €500m to €600m on what is already projected.

CORI Justice Commission believes that reaching the NESC target for social housing in 2012 is essential if Ireland is to achieve the goal of ensuring that everyone in the country has appropriate accommodation. The new National Plan should endorse this NESC target.

5. Adopting a Rights-Based Approach

CORI Justice Commission believes strongly in the importance of developing a rights-based approach to social, economic and cultural issues. The need to develop these rights is becoming ever more urgent for Ireland and the EU.

Social, economic and cultural rights should be acknowledged and recognised just as the civil and political rights have been. Among others, we believe that seven basic rights that are of fundamental concern to people who are socially excluded and/or living in poverty should be acknowledged and recognised.

These are the rights to: sufficient income to live life with dignity; meaningful work; appropriate accommodation; relevant education; essential healthcare; cultural respect; and real participation. Until these rights are effectively recognised then Ireland and the EU will continue to have a major credibility problem, as they will be failing to match their commitment to civil and political rights with an equal commitment to social, economic and cultural rights.

To ensure that the recognition of social, economic and cultural rights goes beyond words, however, it is essential to address the question: how can such rights be made justiciable (capable of being vindicated in law)? In particular, how can this be done in a way that respects the political process and does not destroy the balance of power between the judicial and the governmental dimensions of society while also respecting the social, economic and cultural rights of people?

CORI Justice Commission suggests the following as a viable way forward that would respect concerns expressed particularly by politicians while also respecting the need for people's rights to be justiciable. Our proposal has a number of components.

First, these social, economic and cultural rights should be recognised in the Irish Constitution. Following on this recognition there would be a requirement to have legislation ensuring these rights could be vindicated. We suggest the following might achieve this without producing a non-viable situation that would see every individual pursuing, for example, access to appropriate accommodation, all the way up to the Supreme Court.

Second, there would be a legal requirement on each incoming Government to set out concrete targets on each of the range of social, economic and cultural rights recognised in the Constitution. The specific list of rights would already be set out in legislation and should cover the listing outlined above or some similar range of rights.

Finally, the targets set out in such legislation would have to be for specific periods of time e.g. two and four years (these particular time-frames would also be set out in the legislation). Failure to achieve these targets would be justiciable on a class-action or similar basis but not on the basis of every individual bringing their particular case to court.

We believe a mechanism along these lines should be developed and put in place in all EU states. It would mean that social, economic and cultural rights were placed on the same level as civil and political rights. It would also mean that the EU's over-concentration on the economic dimension would be re-balanced in part at least by a growing recognition of the importance of the social dimension to citizens in all EU member states⁴.

⁴ For a further discussion of this issue see Healy and Reynolds (2003).

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