



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

Submission by the Psychological Society of Ireland's  
Special Interest Group in Human Rights and Psychology (SIGHRP)

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Cumann Síceolaithe Éireann  
Special Interest Group  
in Human Rights and Psychology



## 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.



## Section 1: Group or Organisation Background

### **The Psychological Society of Ireland (PSI)**

### **Special Interest Group in Human Rights and Psychology (SIGHRP)**

Under the auspices of the Psychological Society of Ireland (PSI), The Special Interest Group in Human Rights and Psychology (SIGHRP) was established in Nov 2021. It provides a platform and point of connection for all those psychologists who are interested in how human rights intersect their research and practice. The core purpose of the SIG is to operationalise PSI's affirmation of the Human Rights statement under which the PSI functions through its membership in the European Federation of Psychologists' Associations (EFPA). Modelled upon the United Nations Declaration of Human Rights UDHR (1948), psychology's particularised statement of Human Rights was adopted both by the International Union of Psychological Science (2008) as well as by the PSI through membership of the EFPA.

### What is the name of your group or organisation?

### **PSI Special Interest Group in Human Rights and Psychology (SIGHRP)**

### 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)**

**People experiencing mental health difficulties, psychosocial disabilities**



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

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

The Republic of Ireland is introducing major human rights-based reform to its mental health laws. The new rights-based landscape, in which psychologists must operate against the backdrop of present-day effects of Ireland's dark legacy of institutionalisation, is a positive one. A rights-based approach aims to positively transform mental health service delivery and advocates for person-centred treatments as the 'new normal'.

**Members of the Psychological Society of Ireland's Special Interest Group in Human Rights and Psychology and the Psychological Society of Ireland have long advocated for rights-based prioritisation within psychological sciences and its professions-led mindsets.**

The Rep. of Ireland is moving towards empowering the human rights of people who access mental health services to 'make decisions about their own healthcare insofar as possible' (Report on Pre-Legislative Scrutiny of the Draft Heads of Bill to Amend the Mental Health Act 2001, Houses of the Oireachtas, Oct 2022, p.8). Rights-based approaches increasingly encourage higher standards and good practices across the delivery model; a change that will be most welcome from both service users' and psychology professionals' perspectives. Key to any rights-based reform is recognising that there is 'no health without mental health' (UN Special Rapporteur on the Right to Health) meaning that rights-based approaches regarding mental health are shifting towards parity with physical health.

**The SIG in Human Rights and Psychology welcomes this mental and physical health parity debate and the promise of better care for mental health service users via new legislation/ legislative debate/ legislative advocacy.**

### Supporting References

Special Rapporteur on the right to health (2023). *The right to mental health*. The Office of the High Commissioner for Human Rights (UN Human Rights). Retrieved from: [www.ohchr.org/en/special-procedures/sr-health/right-mental-health](http://www.ohchr.org/en/special-procedures/sr-health/right-mental-health) (Accessed 20 July 2023)

Houses of the Oireachtas Sub-Committee on Mental Health (2022). *Report on pre-legislative scrutiny of the draft heads of bill to amend the Mental Health Act 2001*. Retrieved from: [https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint\\_sub\\_committee\\_on\\_mental\\_health/reports/2022/2022-10-12\\_report-on-pre-legislative-scrutiny-of-the-draft-heads-of-bill-to-amend-the-mental-health-act-2001\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_sub_committee_on_mental_health/reports/2022/2022-10-12_report-on-pre-legislative-scrutiny-of-the-draft-heads-of-bill-to-amend-the-mental-health-act-2001_en.pdf) (Accessed 7 June 2023)



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

Within the context that psychologists operate, the Mental Health Commission is an independent statutory body established under the provisions of Mental Health Acts 2001–2018 (2001 Act) overseeing mental health provision. Its remit has been extended by Assisted Decision Making (Capacity) Act 2015 (as amended) (2015 Act). For example, the Mental Health Commission's recent 'Supporting Change' Strategic Plan 2023–2027 adopts a framework of implementation where equity of access and person-centred mental health care and decision support is a priority. Operationalising a best-in-class decision support service that maximises autonomy, via strong corporate mechanism, is predicted to drive standards to improve quality and the safeguarding of persons across service delivery. **Yet, mental health service provision does not receive equitable government funding with physical health provision (Budget, 2024), and as a result equal and equitable aspiration for mental health service provision is an aspiration rather than a reality.**

As a case in point, consider recent reports on mental health provision within Children & Adolescent Mental Health Services (CAMHS) have uncovered **continuing deficiencies in resources, risk management and rights-based care**. The PSI and SIGHRP contend that children and young people who attend specialist mental health services, such as CAMHS have the right to safe and effective support in a timely manner. Specifically, participation is not only a child's health right, but critical for any modern mental health service regardless of life stage, including for children, adolescents and their families (e.g. Mental Health Commission 2023; Finnerty, 2023).

Separately, the Health Information and Quality Authority (HIQA) is a statutory regulator with strong human rights orientation and guidelines (HIQA, 2019). Aside from providing examples, they do not make it clear how training or continuing professional development is to operate within the psychology profession. **The context in which psychologists must operate is further compounded by the delay in psychology professional registration services by CORU, the regulator of health and social care professionals in the Rep. of Ireland.**

### Supporting References

Mental Health Commission, Rep. of Ireland (2023). *Independent Review of the provision of Child and Adolescent Mental Health Services (CAMHS) in the State by the Inspector of Mental Health Services Promoting Quality, Safety and July 2023 Human Rights in Mental Health: Recommendations*. Retrieved from: <https://www.mhcirl.ie/sites/default/files/2023-07/CAMHS%20Recommendations.pdf> (Accessed 20 July 2023)

Finnerty, S. (2023). *Mental Health Commission's Independent review of the provision of Child and Adolescent Mental Health Services (CAMHS) in the State by the Inspector of mental health services*. Retrieved from: <https://www.mhcirl.ie/sites/default/files/2023-07/Mental%20Health%20Commission%20Independent%20Reviews%20of%20CAMHS%20services%20in%20the%20State.pdf> (Accessed 26 July 2023).



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

**Focus on dialogue / language around the parity of mental and physical health in the Commission's next strategic cycle and its documentation is essential.** There is a stealth requirement in raising the profile of the debate, to prioritise mental health similar to physical health, notably around government funding of mental health provision, to guarantee an equal and equitable rights-based approach that all service users in mental health provision deserve.

For example, “in PSI pre-budget submissions for the last number of years, the Government has been called to fund ‘Ireland’s psychological future’. The key to the delivery of high-quality psychological services is the sufficient availability of skilled and trained personnel; however, there are major shortfalls in the provision of psychological services due to inadequate staffing levels resulting in long waiting lists and significant difficulties in both the recruitment and retention of trained staff...” (See the PSI’s recent press release on the topic with Mental Health Reform (MHR)’s ‘I Am a Reason’ campaign for a summary of estimates and rights-based reasons, see [Press Release here](#)).

The Irish Human Rights and Equality Commission Act 2014 sets out a role to promote and protect human rights, equality and respect for intercultural understanding in Ireland. The Commission’s vision is of an inclusive Ireland where human rights and equality are respected. As stipulated, The Act provides the framework for the Commission’s next Strategy Statement 2025 - 2027 and outlines one of the overall functions of the Commission to, amongst others: work towards the elimination of human rights abuses and discrimination. **An explicit reference to the human rights of (or the human rights pertinent to) people with psychosocial disabilities in the Commission’s next strategy statement is important.**

We note that the previous Strategy Statement 2022-2024 does not explicitly mention ‘mental health’, but rather ‘intellectual disabilities’, and only periodically. **With increased inclusion and share of voice within the new strategy statement, mental health provision will enjoy an opportunity for increased parity with physical health –** the rights of those with psychosocial disabilities and/or physical disabilities will be equally attended to.



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

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

**We welcome the Commission’s call for significant review and reform of Irish mental health policy and law, specifically relating to children.** We are aware of the Commission’s recommendations published on the *General Scheme of the Mental Health (Amendment) Bill* made to the Oireachtas Joint Sub-Committee on Mental Health. We are (and remain) in agreement with the following recommendations:

- that the term ‘mental disorder’ be replaced with ‘persons of psychosocial disability, in line with UNCRPD;
- that emphasis be placed on aligning the relevant legislation in line with UNCRPD;
- that there is meaningful consultation with and involvement of persons with psychosocial disabilities, through their representative organisations, including those representing children, in the development, implantation, monitoring and reviewing of the General Scheme and other relevant mental health legislation;
- that the reform of mental health legislation must be accompanied by State measures, including legislation, aimed at ensuring less restrictive forms of treatment in the community are available and the ultimate eradication of coercion in the treatment of people with psychosocial disabilities;
- that the reform of mental health legislation ensures the use of substitute decision-making arrangements complies with human rights and equality standards;
- that the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities be ratified.

and **we would like to emphasise additional areas on which the commission could contribute more voice, such as:**

- bringing legislative focus to key areas where equity of rights-based mental health service provision has been compromised by resource-based views on the priority of physical health over mental health.
- facilitating consultation forums with mental health service providers, professionals, and knowledge experts (e.g., academics, professional bodies, specialists) to better enable the discovery of chronic systemic failures of rights-based implementation.

#### **Supporting references:**

- SIGHRP’s committee accepted the invitation to provide feedback to the PSI to comment via the International Union of Psychological Science (IUPsyS) on the launch of the World Health Organisation’s (WHO), and the Office of the United Nations High Commissioner for Human Rights (OHCHR), guidance on mental health, human rights, and legislation. The submission was submitted by PSI’s International Liaison Officer Dr John Francis Leader on behalf of PSI. You may read the submission [here](#).



- SIGHRP's work towards [the Psychological Society of Ireland \(PSI\) Pronouncement to the International Union of Psychological Science \(IUPsyS\) on Responses in Crises and Emergencies](#), was cited in a submission made to the Irish Human Rights & Equality Commission IHREC. Care Champions and NUI Galway's Irish Centre for Human Rights are calling for an inquiry into care homes during the Covid-19 period. You may read it [here](#).





## Section 4: Achieving Change

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

Children's mental health rights are increasingly in focus for psychologists working across the island of Ireland. The Commission has a strong track record when it comes to children's rights. **Children's rights issues are a priority for psychologists working in the Rep. of Ireland, and we welcome some attention by the Commission to each or all of the following information in the new Strategy Statement 2025-2027:**

#### **Children's Rights Alliance (CRA) Report Card 2024**

Following the launch of the Children's Rights Alliance (CRA) Report Card 2024, the Psychological Society of Ireland (PSI) asserts the need to mobilise a mental health movement that puts human rights at its heart and children first. Whilst the CRA's Report Card 2024 covers many issues faced by children today, the lowest grades relate to issues concerning mental health, which is also one of the two spotlight areas in the Young Ireland National Policy Framework for Children and Young People 2023-2028. The PSI and its membership are resolutely dedicated to advocating for the upholding of children's rights, and testament to this commitment is human rights being one of the strategic themes for the PSI Strategy 2024-2026. It is the professional and moral duty of the psychological community to advocate for children's right to the highest attainable standard of physical and mental health as per The United Nations Convention on the Rights of the Child (UNCRC), which Ireland ratified in 1992. See PSI press release here:

<https://www.psychologicalsociety.ie/source/Press%20Release%20Childrens%20Rights%20Alliance%20Report%20Card%20Feb2024.pdf>

#### **HIQA National Standards**

The Health Information and Quality Authority (HIQA) National Standards for Residential Services for Children and Adults with Disabilities incorporating The Assisted Decision-Making (Capacity) Act 2015, also highlights the participation of children and young people. The Health Information and Quality Authority (HIQA) National Standards for Residential Services for Children and Adults with Disabilities define benchmarks for ensuring high-quality and secure residential services for both adults and children with disabilities. Under Standard 1.6, active participation of children in decision-making processes is mandated. Further, Standard 2.1 specifies the imperative for developing a child's personal plan with maximum involvement from the child.

These national policies and standards align with global initiatives like the EU 2030 Sustainable Development Goals, European Youth Strategy, European Child Guarantees, and Council of Europe Recommendations. This interconnectedness emphasises the need to consider global perspectives when shaping youth participation strategies at a domestic level. These principles and frameworks are all crucial for ensuring that participation is not tokenistic but genuinely empowers children and young people.



As advocates for mental and physical well-being and human rights, psychologists play a crucial role in fostering environments that respect and integrate the perspectives of children and young people at individual, service and organisational levels. This is not only meeting their rights or an ethical imperative, but also a pathway to creating positive and transformative outcomes for the well-being of children and young people. The Commission's focus on these rights-based issues in its Strategy Statement 2025-2027 will be important in light of the legislative implications new laws have for mental health professionals who work with children and youth.

### **Supporting reference**

Dr Alexis Carey, Dr Richard Lombard-Vance, Dr Elaine Rogers, and Dr Michelle Cowley-Cunningham published a full research article in The Irish Psychologist '[Nurturing voices: Psychologists' role in amplifying children and young people's participation rights in decision making](#)'. The article connects participation frameworks, including The Lundy Model, to the children's rights legislative context in the Rep. of Ireland. For anyone interested in updating their knowledge of rights-based approaches on children and young people's participation in decision making, you can read the article via your PSI dashboard access, or preprint version [here](#).



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

### **ADMA 2015**

The Assisted Decision-Making (Capacity) Act 2015, along with the commencement of the Decision Support Service in 2023, focus on optimising an individual's capacity to make decisions. This legislation establishes a legal framework for supported decision-making, enabling individuals to enter into legal agreements outlining various forms of support, such as co-decision making, decision-making assistance, and decision-making representation. Currently applicable to individuals over 18, the act maintains parents or guardians as decision-makers for children and young people under 18, unless the latter are wards of the court.

**We welcome dialogue and participation in events by the Commission in relation to 'participation in decision making' rights-based care topics on an ongoing basis.**

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

For many psychologists and health professionals working in the Rep. of Ireland any reform or societal shift in mindset will require a health service and civil society that adapts to a new legal landscape; particularly the Convention on the Rights of Persons with Disabilities (UNCRPD). **The SIGHRP agrees that the Commission should advocate for a mental health diagnosis to never, considering the UNCRPD, solely define an individual's personhood; each has a unique personality and social context necessitating autonomy of agency to engage in relationships and aspire for the future.**

We commend the work that the Commission has been doing and request that it will increasingly advocate to ensure that the State complies with its national and international obligations regarding the provision of rights-based mental healthcare to those with psychosocial disability.

### **Supporting reference:**

Dr Elaine Rogers and Dr Michelle Cowley-Cunningham have collaborated on a new journal article publication ['Human rights and psychology in the Republic of Ireland: Aspirations for everyday practice and introducing the Kyrie Farm model'](#). The review comprehensively outlines the new mental health legislative landscape in which psychologists must operate in the Rep. of Ireland. Working together with colleagues Dr Eoin Galavan and leading human rights psychologist Dr Tony Wainwright, the paper was published in a special issue on psychology and human rights by the BPS flagship journal Clinical Psychology Forum. The paper also introduces the new Kyrie Farm socio-ecological model of health treatment initiative situated in the Rep. of Ireland. You may read the paper via BPS Explore [here](#).



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

### **Increasing regard from government, service providers and civil society to mental health's parity with physical health:**

The SIGHRP contends that the right to health is a fundamental human right encompassing physical, mental and social well-being, and mental health is integral to, and has parity with, physical health. We agree that an arbitrary division between mental and physical health has the potential to offset human rights in the context of mental health, such as a decreasing equity in government funding for mental versus physical health service provision and quality of care. **In conclusion, we request that the Commission's strategy document make explicit its advocacy for continued legal reform regarding mental and physical health parity.**

Thank you!