

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Ireland

Contractor's name: National University of Ireland Galway

Date: 3 November 2020

DISCLAIMER: This document was commissioned under contract as background material for a comparative report being prepared by the European Union Agency for Fundamental Rights (FRA) for the project “Coronavirus COVID-19 outbreak in the EU – fundamental rights implications”. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made available for transparency and information purposes only and does not constitute legal advice or legal opinion.

1 Measures taken by government/public authorities impacting on specific freedoms

1.1 Emergency laws/states of emergency

In **Ireland**, the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 was signed into law on 20 March 2020.¹ This allows for restrictions of rights during the COVID-19 pandemic, including freedom of movement, private and family life, freedom of assembly and the right to work. This Emergency Measures Act had a ‘sunset clause’ of 9 November 2020, before which point the powers enacted under the new law must be reviewed, with the option to let them fall or be renewed.

On 20 October 2020, the Irish Government moved to extend the measures to 9 June 2021. Opposition parties and the NGO Irish Council for Civil Liberties criticised the short time allocated for debate on this motion in the Dáil, and an extra day was allocated for debate.² Ultimately, however, the motion to extend measures with a new sunset clause of June 2021 was passed by both houses of the Oireachtas (Irish parliament) on 22 October in accordance with the provisions laid out in the Emergency Measures Act.³

The strict lockdown put in place in **Ireland** in March 2020 was progressively eased over the summer, culminating in schools re-opening for face-to-face teaching in September. On 15 September 2020, Ireland put in place a new system of ‘levels’ for living with COVID-19, explaining that we are moving from a ‘short-term emergency response approach to a medium-term approach to managing risk and repairing the damage that COVID-19 has inflicted on society’.⁴ While initially praised for the transparency of this approach, which included distributing a leaflet to every household explaining the new levels,⁵ the Government quickly attracted criticism by modifying the measures for each level as they came into force. With cases rising swiftly again, and most of the country under level 3 (under which, for instance, no indoor dining in restaurant is permitted), the Government initially rejected calls from their scientific advisory body to move to the highest level of alert (Level 5), but ultimately putting in place Level 5 nationwide from 22 October 2020 for a period of 6 weeks.⁶ Under Level 5, all non-essential retailers are closed, and only essential workers should travel to work. Schools and

¹ Ireland, Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020, available at: <http://www.irishstatutebook.ie/eli/2020/act/1/enacted/en/print.html> .

² Irish Council of Civil Liberties (2020), ICCL opposes attempt to steamroll emergency legislation through Dáil, 20 October 2020, available at: <https://www.iccl.ie/news/iccl-opposes-attempt-to-steamroll-emergency-legislation-through-dail/> .

³ Article 2(a), Ireland, Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020, available at: <http://www.irishstatutebook.ie/eli/2020/act/1/enacted/en/print.html> .

⁴ Government of Ireland (2020), Resilience and Recovery 2020-2021: Plan for Living with COVID-19, 15 September 2020, available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/> .

⁵ See e.g. the Irish Times (2020), Ireland’s five-level Covid-19 plan attracts international praise, 23 October 2020, available at: <https://www.irishtimes.com/news/health/ireland-s-five-level-covid-19-plan-attracts-international-praise-1.4372723> .

⁶ Government of Ireland (2020), Ireland placed on Level 5 of the Plan for Living with COVID-19, 23 October 2020, available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/> .

childcare facilities, however, remain open and non-contact sports training for children can continue in pods of 15.⁷

There have been no legal challenges to the emergency legislation in the reporting period. As reported in the June bulletin, two far right fringe figures attempted to challenge the Emergency Measures Act, and the current stay at home order through the courts.⁸ Leave to bring judicial review proceedings was not granted by the Irish High Court, with Justice Meehan stating that: 'Unsubstantiated opinions, speeches, empty rhetoric and a bogus historical parallel [with Nazi Germany] are not a substitute for facts.'⁹

1.2 Freedom of assembly

A variety of restrictions have been in place during the reporting period in Ireland, and it has varied from county to county. The introduction of the new 'level' system for living with COVID-19 on September did not change freedom of assembly for most citizens, as visitors to private homes and gardens had already been limited to no more than 6 people from no more than 3 households from 18 August.¹⁰ This also applied under Level 2 of the new plan from 15 September, which applied to all counties but Dublin. Indoor events were limited to between 50 and 100 (depending on venue size) and between 100 and 200 outdoors.

From 6 October, Level 3 was implemented nationwide (Donegal had previously joined Dublin in Level 3). Under this, visitors to homes and private gardens were limited to a maximum number of 6 from one other household, and no other indoor events or gathering were to take place. Outdoor gatherings were limited to 15 people.¹¹

On 15 October, the Government moved Donegal, Cavan and Monaghan to Level 4, while the rest of the country remained on Level 3, but with the additional restriction of no household visitors.¹² Finally, on 22 October, the Government put in place Level 5 (the highest level of alert) nationwide.¹³

⁷ Government of Ireland (2020), Ireland placed on Level 5 of the Plan for Living with COVID-19, 23 October 2020, available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/>.

⁸ The Irish Times (2020), Application for leave to challenge Covid-19 laws to be heard next week, 28 April 2020, available at: <https://www.irishtimes.com/news/health/coronavirus/application-for-leave-to-challenge-covid-19-laws-to-be-heard-next-week-1.4239987>.

⁹ High Court of Ireland, [2020] IEHC 209, O'Doherty & Anor -v- The Minister for Health & Ors, 13 May 2020, available at: [https://beta.courts.ie/view/judgments/c8f68c25-1d0d-4b45-a314-d79239136db5/3f64ad1f-4b11-4f28-b459-9a24161da267/2020 IEHC 209.pdf/pdf](https://beta.courts.ie/view/judgments/c8f68c25-1d0d-4b45-a314-d79239136db5/3f64ad1f-4b11-4f28-b459-9a24161da267/2020%20IEHC%20209.pdf/pdf).

¹⁰ Government of Ireland (2020), Statement on the introduction of new measures to limit the spread of COVID-19, 18 August 2020, available at: <https://www.gov.ie/en/publication/77b6d-statement-on-the-introduction-of-new-measures-to-limit-the-spread-of-covid-19/>.

¹¹ The Irish Times (2020), Coronavirus: State to move to Level 3 from midnight on Tuesday, 5 October 2020, available at: <https://www.irishtimes.com/news/ireland/irish-news/coronavirus-state-to-move-to-level-3-from-midnight-on-tuesday-1.4372315>.

¹² The Irish Times (2020), Life under Level 3 (and a bit) - What do the latest restrictions mean?, 15 October 2020, available at: <https://www.irishtimes.com/news/ireland/irish-news/life-under-level-3-and-a-bit-what-do-the-latest-restrictions-mean-1.4381858>.

¹³ Government of Ireland (2020), Ireland placed on Level 5 of the Plan for Living with COVID-19, 23 October 2020, available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/>.

Under Level 5 in **Ireland**, no visitors are permitted to homes and private gardens. Households can meet with one other household in an outdoor setting that is not a private home or garden, such as a park, within 5 km from home. In addition, specific households (such as those living or parenting alone, or those with mental health challenges) are permitted to name one other household with whom they can form a 'support bubble'. No outdoor nor indoor events can take place, with the exception of weddings (up to 25 guests) or funerals (up to 10 mourners).¹⁴

The Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020¹⁵ allows for these measures to be taken, but enforcing the measures around freedom of assembly the Living with Covid 'levels' plan relied essentially on goodwill, until new powers were given to Gardaí (Irish police) to enforce breaches of COVID-19 regulations from 20 October. These include fines of €1,000 to the organisers of house parties, and to anyone who does not comply with a request to disperse.¹⁶

An increasing number of anti-mask and anti-lockdown protests are being held in Ireland, particularly in Dublin.¹⁷ While no exception is made to the Level 5 restrictions for public protests, Gardaí (Irish police) usually take a 'policing by consent' approach to these gatherings, advising those attending to return home, but not attempting to forcibly remove protestors. This in turn has prompted some criticism for those who support restrictions, including clashes between right wing anti-lockdown protestors and counter protestors on 10 October 2020.¹⁸ Organisers of such events, however, are being investigated. No organisers has, as yet, been prosecuted.¹⁹ No judicial complaints have been made in the reference period.

1.3 Freedom of movement

In **Ireland** under Level 5, everyone is advised to stay at home, except for exercise within 5km of home. Increased Garda (Irish police) checkpoints are in place, and under new Garda powers, on the spot fines can be issued of up to €500, although only as a last resort.

¹⁴ Government of Ireland (2020), Ireland placed on Level 5 of the Plan for Living with COVID-19, 23 October 2020, available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/> .

¹⁵ Ireland, Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020, available at: <http://www.irishstatutebook.ie/eli/2020/act/1/enacted/en/print.html> .

¹⁶ Government of Ireland (2020), Additional enforcement powers for breaches of COVID-19 regulations, 20 October 2020.

¹⁷ The Irish Times (2020), Further anti-lockdown protest held in Dublin city centre, 24 October 202, available at: <https://www.irishtimes.com/news/ireland/irish-news/further-anti-lockdown-protest-held-in-dublin-city-centre-1.4390608> .

¹⁸ The Irish Times (2020), Hundreds clash in violent exchanges at Dublin protest, 11 October 2020, available at: <https://www.irishtimes.com/news/ireland/irish-news/hundreds-clash-in-violent-exchanges-at-dublin-protest-1.4377808> .

¹⁹ The Irish Times (2020), Gardaí investigate how Dublin anti-mask protest was organised, 24 August 2020, available at: <https://www.irishtimes.com/news/crime-and-law/garda%C3%AD-investigate-how-dublin-anti-mask-protest-was-organised-1.4337085> .

At present, the Irish Health Authorities require anyone coming into Ireland, apart from those coming from Northern Ireland, and certain providers of essential supply chain services, to self-isolate for 14 days, upon arrival.²⁰

From 28 May, it is a legal requirement to complete a COVID-19 Passenger Locator Form to indicate where incoming people are located. If a person proceeded from a country which was not on a national 'green list', he or she was required to self-isolate for 14 days. No state is currently on this list, therefore, failure to self isolate may result in a fine not exceeding €2,500 or imprisonment for a maximum of 6 months.²¹

Ireland has agreed to implement the new EU traffic light system governing inter-country travel, In line with EU Recommendations, there will be no entry restrictions on passengers travelling from green regions, and each Member State will decide what restrictions apply to passengers travelling from red, orange and grey regions. The Government have not yet decided what these restrictions will be, and the Minister for Transport has warned that it will take a month or two to put it in place.²²

2 Implications of Covid-19 and measures to contain it on specific social rights

2.1 Work

Workers in **Ireland** who have been temporarily laid off as a result of the pandemic restrictions can avail of a COVID-19 Pandemic Unemployment Payment. This can also be claimed by the self-employed, if trading income has collapsed to the extent that a person is available to take up other full time employment if offered.²³ The Government also brought in some specific supports for the arts sector, including bringing forward payment of grants.²⁴

There have been several changes to the rate of this payment since March. From 16 October 2020, there are four rates of weekly payment depending on how much people were paid before being laid off: €203 (equal to standard Jobseeker's Benefit) for those who earned less than €200 per week, € 250

²⁰ Ireland Department of Foreign Affairs and Trade, 'General COVID-19 Travel Advisory in Operation', available at: <https://www.dfa.ie/travel/travel-advice/coronavirus/>.

²¹ Ireland Department of Health (2020), Minister for Health confirms new travel measures in light of COVID-19 pandemic, 25 May 2020, available at: <https://www.gov.ie/en/press-release/d09ad0-minister-for-health-confirms-new-travel-measures-in-light-of-covid-1/>.

²² RTE News (2020), EU traffic light system in place in a month or two – Ryan, 15 October 2020, available at: <https://www.rte.ie/news/politics/2020/1015/1171843-eu-traffic-light-system/>.

²³ Government of Ireland (2020), What to do if you are self-employed (COVID-19), 3 April 2020, available at: <https://www.gov.ie/en/publication/68c144-what-to-do-if-you-are-self-employed-covid-19/>.

²⁴ Government of Ireland (2020), Covid 19 Support and Information for the Arts Sector, 22 May 2020, available at: <https://www.chg.gov.ie/app/uploads/2020/05/covid-19-support-and-information-for-the-arts-sector.pdf>

for people formerly earning between €200 and €299.99 per week; €300 for pay schales between €300 and €399.99 per week, and finally €350 for those who earned more than €400.²⁵

Ireland also has an Employment Wage Subsidy Scheme whereby employers whose turnover has fallen by 30% as a result of COVID-19 restrictions get a flat rate subsidy per week based on number of employees. This follows the same scale as the Pandemic Unemployment Payment.²⁶

However, as Ireland has now entered a second strict lockdown, many businesses are struggling to cope with continually evolving restrictions and shutdowns. In particular, so-called ‘wet pubs’ (pubs which do not serve substantial meals) were the last businesses to re-open on 21 September after six months’ closure, and were open for less than four weeks before Level 5 ordered closures again. In the Dublin region, where cases were already high in September, ‘wet pubs’ never re-opened and have been continuously closed for eight months.

The right to fair and just working conditions, which respect the health, safety and dignity of workers has been highlighted by the situation of low paid workers, particularly in the meat industry and in nursing homes, who are both at particular risk of COVID-19 infection. The Oireachtas (Joint Houses of Parliament in Ireland) Special Committee on COVID-19 Response noted that such staff mostly do not have access to employer sick pay, because they are often on rolling agency contracts, and that there are reports of staff reporting to work while sick as they feared they would have no access to income support otherwise, thus risking further spread of the virus.

The Committee further noted that low pay meant that many workers rent or live in overcrowded accommdation, leading to further spread of the virus, and that there are reports that foreign national workers in residential care settings have working conditions that are inferior to other staff, forcing them to work in several settings at a time. The Committee have recommended that a statutory sick pay scheme be put in place for low paid workers such as those in nursing homes and meat factories.²⁷ The Government, however, have clarified that all workers who are properly registered in Ireland and who have been in work for at least one week in the four weeks previous to falling sick are entitled to enhanced COVID-19 Illness Benefit (standard Illness Benefit requires a longer period of social insurance in Ireland), and that this payment will be available until March 2021.²⁸

2.2 Health care

The Irish Government issued a leaflet to all households explaining the signs and symptoms of COVID-19, and the procedures to follow if you are experiencing symptoms. In September, the Irish Health

²⁵ Government of Ireland (2020), COVID-19 Pandemic Unemployment Payment Rates October 2020, 16 October 2020, available at: <https://www.gov.ie/en/publication/64613-covid-19-pandemic-unemployment-payment-rates-announced-19-october-2020/>.

²⁶ Ireland Citizens Information Services (2020), Employment Wage Subsidy Scheme, available at: https://www.citizensinformation.ie/en/employment/unemployment_and_redundancy/employment_support_scheme.html.

²⁷ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at: https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf.

²⁸ Agriland (2020), Meat factory workers ‘entitled to Covid-19 illness payment’ but must have PPSN and PRSI contributions, 12 August 2020 available at: <https://www.agriland.ie/farming-news/meat-factory-workers-entitled-to-covid-19-illness-payment-but-must-have-a-ppsn-and-prsi-contributions/>.

Service Executive said that the median end-to-end testing turnaround, from referral to contact tracing complete, was 2.1 days.²⁹

As cases continued to increase, however, the tracing system in particular has shown signs of strain, culminating in a decision to ask 1,971 people who tested positive between 14 and 16 October to notify their own close contacts. The Irish Health Service Executive has apologised to the individuals concerned, stating that as of 23 October, the system is back on track, with all close contacts being contacted by the Health Service Executive within 24 hours.³⁰

In terms of testing, the Irish Health Service Executive said in October 2020 that 95 per cent of people receive a swabbing appointment on the same or next day, and 95 per cent receive results in less than 48 hours. The median end-to-end turnaround time is now 2.8 days.³¹

During Ireland's first lockdown, most non-urgent health appointments, including cancer screening and elective surgeries were cancelled. Healthcare workers who would normally have been involved in these health services identified as non-essential were then deemed available to be reemployed in other essential service areas.³² In its final report in October 2020, the Joint Oireachtas (both houses of Ireland's parliament) Special Committee on COVID-19 response noted this backlog and recommended it as a priority issue for the Joint Committee on Health which will now take up this oversight work.³³ This was noted particularly in relation to mental health services. The Irish Health Service Executive noted that while this is not at present reflected in higher suicide numbers, that they are 'very conscious' of the problem and are building up mental health services in preparation.³⁴

In the current Level 5 restrictions in Ireland, all hospital, public health and licensed therapy services have been deemed essential services and are therefore exempt from restrictions.³⁵

²⁹ Irish Times (2020), Covid-19 testing: 'We should have been ready for this', 12 September 2020, available at: <https://www.irishtimes.com/life-and-style/health-family/covid-19-testing-we-should-have-been-ready-for-this-1.4351735> .

³⁰ Oireachtas (Joint houses of Parliament Ireland) (2020), Joint Committee on Health debate - Wednesday, 28 Oct 2020, Evidence by Ms Niamh O'Beirne, national lead for testing and tracing Health Service Executive, available at: https://www.oireachtas.ie/en/debates/debate/joint_committee_on_health/2020-10-28/3/ .

³¹ Oireachtas (Joint houses of Parliament Ireland) (2020), Joint Committee on Health debate - Wednesday, 28 Oct 2020, Evidence by Ms Niamh O'Beirne, national lead for testing and tracing Health Service Executive, available at: https://www.oireachtas.ie/en/debates/debate/joint_committee_on_health/2020-10-28/3/ .

³² Health Service Executive Ireland (2020), Policy and Procedure Reemployment of Staff during COVID-19 Infection, 19 March 2020, available at: <https://www.hse.ie/eng/staff/resources/hrppg/policy-on-redeployment-of-staff-during-covid-19-infection-march-2020.pdf> .

³³ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at: https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf .

³⁴ The Irish Times (2020), 'Afraid, frozen, stuck': The mental health pandemic and how to fight it, 23 October 2020, available at: <https://www.irishtimes.com/life-and-style/health-family/afraid-frozen-stuck-the-mental-health-pandemic-and-how-to-fight-it-1.4388578> .

³⁵ Government of Ireland (2020), View the list of essential services at Level 5, 14 October 2020, available at: <https://www.gov.ie/en/publication/c9158-essential-services/#human-health-and-social-work-activities> .

As of 12 October 2020, 21.8% of total COVID-19 cases in Ireland were amongst health care workers (9,756 health care workers). 8 health care workers have died of COVID-19.³⁶The Irish Nurses' and Midwives' Organisation has highlighted the impact of COVID-19 on healthworkers, and has called on for a major staffing boost to deal with COVID-19, and the implementation of mandatory weekly COVID-19 testing for all staff in acute and community healthcare services.³⁷ The Health Service Executive have been increasing their efforts to redeploy healthcare staff to nursing homes, which suffered from staff shortages during the first wave of the pandemic.³⁸

3 Negative impact on social rights for vulnerable groups including measures to address this

3.1 Persons with disabilities

The final report of the Oireachtas (Joint Houses of Irish parliament) Special Committee on COVID-19 Response in October 2020 noted particular challenges faced by people with disabilities in the COVID-19 pandemic. They noted that there are over 1,250 families in Ireland in **which the primary carer for an adult with an intellectual disabilities is a parent over the age of 70**, more than 400 of whom are over 80.³⁹ They highlighted that many of these family carers are themselves cocooning, and that this creates substantial risk should these family carers become ill themselves.

The rights of people with disabilities to fair and just working conditions in Ireland was also raised in the Special Committee Report. It was noted that, during the period of easing where most people were permitted to return to work, high-risk individuals with disabilities would no longer receive the Pandemic Unemployment Payment (because their workplace is open) or be eligible for the Covid-19 enhanced Illness Benefit.⁴⁰ The Committee recommended for further examination by the Joint Committee on Children, Disability, Equality and Legislation: 'Consideration of what supports are being provided for people who are high risk and must continue to cocoon or limit their social movements, or cannot return to work, including people with disabilities, people with chronic illnesses and older people'.⁴¹ A small peer-led qualitative study by the NGO Inclusion Ireland of the experience of people

³⁶ Health Protection Surveillance Centre (2020), Weekly Healthcare Workers Report, 13 October 2020, available at: https://www.hpsc.ie/a-z/respiratory/coronavirus/novelcoronavirus/surveillance/covid-19casesinhealthcareworkers/HCW_report_12%2010%202020_0.1_web.pdf .

³⁷ Irish Nurses and Midwives Organisation (2020), Give us the staff we need to beat COVID, says INMO conference, 9 October 2020, available at: <https://www.inmo.ie/Home/Index/217/13637> .

³⁸ The Irish Times (2020), Covid-19: Rise in HSE staff redeployed to nursing homes, 3 November 2020, available at: <https://www.irishtimes.com/news/ireland/irish-news/covid-19-rise-in-hse-staff-redeployed-to-nursing-homes-1.4398119> .

³⁹ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at: https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf

⁴⁰ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at: https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf

⁴¹ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at:

with intellectual disabilities during COVID-19 restrictions found that all eleven participants lost work as a result of COVID-19 restrictions, most of which had been organised through centres and services for people with disabilities. All day services for people with disabilities were closed during the first lockdown.⁴²

There were also fears of a worsening **digital divide** for people with disabilities, since there are multiple barriers for people with disabilities in accessing technology, including digital poverty and low digital literacy, and difficulties with universal design.⁴³ This affects a wide range of social rights, including the **right to education**, the right to **reasonable accommodation of the needs of employees/prospective employees with disabilities**, the **right to preventive health** (since many health appointments are now held remotely over video), and **access to essential services** (financial services, for example).

3.2 Refugees and asylum seekers

The COVID-19 pandemic has intensified pressure on the Government of **Ireland** to address the system of 'direct provision' of congregated accommodation for asylum seekers. Before the pandemic took hold in Ireland, these 'direct provision' centres were already at almost 100% capacity, with individuals from several different families forced to share the same bedroom in many cases.⁴⁴ During the pandemic, this has seriously impacted asylum seekers' **right to health**. By April 2020, the Government had moved towards a maximum of no more than three unrelated persons per room, but this, as the Ombudsman pointed out, is still far from acceptable.⁴⁵ As of 31 October 2020,

, there have been 318 confirmed cases of Covid-19 in direct provision, an incidence rate far higher than that in the general population.⁴⁶ This has intersected with outbreaks amongst low paid workers such as meat workers, since the majority of asylum seekers who find work are in low paid, vulnerable jobs and would not have been eligible for sick pay. In August 2020, the Government made a statement reassuring direct provision residents specifically that they are eligible for the COVID-19 Enhanced Illness Benefit, and made that statement available in a number of different languages.⁴⁷ In September

https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf .

⁴² Inclusion Ireland (2020), The Experiences of Adults with Intellectual Disabilities in Ireland During the Covid-19 Crisis, September 2020, available at: <http://www.inclusionireland.ie/sites/default/files/attach/news-item/1880/report-experiences-adults-intellectual-disabilities-ireland-during-covid-19-crisis.pdf> .

⁴³ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at: https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf .

⁴⁴ Government of Ireland (2020), Final Report of the Special Committee on COVID-19 response, October 2020, available at: https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/special_committee_on_covid_19_response/reports/2020/2020-10-09_final-report-of-the-special-committee-on-covid-19-response-sccr004_en.pdf .

⁴⁵ The Ombudsman and Direct Provision: A commentary by the Ombudsman, April 2020, available at: <https://www.ombudsman.ie/publications/reports/the-ombudsman-direct-prov-1/Direct-Provision-Report-2019-FINAL.pdf> .

⁴⁶ Health Protection Surveillance Centre Ireland (2020), Epidemiology of COVID-19 Outbreaks/Clusters in Ireland, 3 November 2020, available at: https://www.hpsc.ie/a-z/respiratory/coronavirus/novelcoronavirus/surveillance/covid-19outbreaksclustersinireland/COVID-19%20Weekly%20Outbreak%20Highlights_web_version_Week442020_02112020_v.1.0.pdf .

⁴⁷ Government of Ireland (2020), Access to COVID-19 Enhanced Illness Benefit and the Pandemic Unemployment Payment for people in Direct Provision, 7 August 2020, available at: <https://www.gov.ie/en/press->

2020, the Government announced that they will be beginning a comprehensive programme of testing in the direct provision centres, for staff and residents, on a voluntary basis.⁴⁸ The Government have committed to end direct provision in their term of office, and that they will ensure that binding standards for centres are applied and enforced by January 2021.⁴⁹

[release/90416-access-to-covid-19-enhanced-illness-benefit-and-the-pandemic-unemployment-payment-for-people-in-direct-provision/](#) .

⁴⁸ Government of Ireland (2020), Joint Statement from the Department of Justice and Equality and the HSE on COVID-19 Testing in Direct Provision Centres, 11 September 2020, available at: <http://justice.ie/en/JELR/Pages/PR20000197> .

⁴⁹ Government of Ireland (2020), Minister Helen McEntee Seanad Statements on Direct Provision, 30 July 2020.