Our vision for the island of Ireland in 2040 is to be fundamentally equal. For it to have formed positive power structures, legal frameworks and education systems that benefit minorities and the disadvantaged. We wish for negative power structures which exist on this island to be transformed so that no citizen has an unfair advantage.

This paper moves beyond surface discrimination and looks at how we are socialised according to certain power structures and enjoy their advantages, without openly being discriminatory, to the detriment of others.

We want the solutions proposed in this paper to provide a positive pathway to the social changes of tomorrow. In recent years, we have seen a willingness for change across the island, most visibly demonstrated by the referenda in Ireland, but also reflected in changing social attitudes in Northern Ireland. We wish to capitalise on these much needed moments of change to further progress our society.

By 2040, we want the island of Ireland to be known in the world for the fairness of our political, social, educational and legal structures, and not just in terms of equality of opportunity, but also in terms of equity of outcome. We wish for policy makers to provide solutions based on the individual needs of citizens, rather than simply treating everyone the same and expecting the same results.

The vision for this paper touches on multiple power structures that are currently in play. This paper recognises that the numerous facets of diversity that exist on the island of Ireland can currently double or triple the disadvantage of being marginalised by more than one power structure.

Drawing heavily on Kimberlé Crenshaw’s theory of intersectionality, we recognise that singular identity dynamics are limited as they frequently ignore or conflate intra-group differences. Intersectionality is understood in this paper to be an approach to identity that recognises that different identity categories can intersect and co-exist in the same individual in a way which creates a qualitatively different experience when compared to any of the individual characteristics involved. Recognising that identity politics takes place at the site where categories intersect thus seems more fruitful than challenging the possibility of talking about categories at all. Through an awareness of intersectionality, we can better acknowledge and ground the differences among us and negotiate the means by which these differences will find expression in constructing group politics. Any solutions or intervention strategies suggested in this paper will be framed to be responsive to how diverse identity structures intersect, e.g. class, gender, sexuality.

Power structures within modern society are intricate, co-dependant systems of influence that impact the relationship between the individual and society at large. These can be at a micro person-to-person level, or at a macro economic level. By virtue of their definition, power structures place members of their given society on a rank order depending on a number of characteristics such as race, gender, sexuality, socio-economic status and education level. These structures serve to provide access to opportunities across their lifetime for those who have the characteristics society deems the most desirable. The outcome is that some people will face obstacles at every turn in their life due to their birth or genetics alone.

Over the course of this paper we will discuss a number of facets of diversity and the improvements
we believe can be made by 2040. While not all encompassing, we will attempt to cover the issues of sexuality, gender, race, socio-economic disadvantage in education, legal frameworks and accessibility. This paper will then suggest how mechanisms for change, which are arguably power structures in themselves, can be utilised on the island of Ireland to tear apart these negative power structures whilst being fully cognisant of the complex diversity of society through the lens of intersectionality.

**GENDER**

Male dominated power structures prevail across the island, as exemplified in lacking abortion rights, disparity in remuneration and the failure of society to address the severity of gender-based violence. These are rooted in unequal power relations and maintained institutionally through the likes of the legal systems of Northern Ireland and Ireland.

We envision that by 2040, abortion will have been legalised across the entire island of Ireland. This is in accordance with recommendations made by the British Medical Association, British Pregnancy Advisory Service and The World Health Organisation. There should be no human rights differences across this island.

Figures show that in Ireland, women currently earn around 13.9% less than men. Even though Northern Ireland has a significantly lower gender pay gap, the average female worker in would still need an average wage increase of 6% to achieve parity with average male wages in the region. Furthermore, women are still more likely to work in sectors and occupations that are relatively lower paid. This paper calls for a strengthening of current legislation by 2040, similar to that of Iceland, whereby any public or private body employing more than 25 people that has not been independently certified as paying equal wages for work of equal value must face daily fines. Additionally, this should be accompanied by enforcing shared maternity and paternity leave, the encouragement of greater female entrepreneurship, and an increase in government spending on family benefits and childcare.

Violence against women and girls is one of the most serious human rights issues in the UK and Ireland. The Istanbul Convention is a comprehensive legal framework that sets out the minimum standards for countries to adhere to in combating violence against women and girls. Despite the fact that both the UK and Ireland are signatories, neither country has ratified this life-saving convention. By 2040, we call for our governments to act as positive examples by enforcing these legal changes.

We share the view of Noeline Blackwell, Director of the Dublin Rape Crisis Centre that “neither our investigative processes nor our adversarial court system suit the investigation and prosecution of sexual violence or the related crimes of domestic or other gender-based violence”1. The process does not yield good results and may leave the public at risk. For example, less than 2% of rape cases in Northern Ireland result in conviction. This paper recommends adapting investigative methods and training police officers in questioning vulnerable witnesses, being aware of cognitive biases and in amassing, not judging, evidence. In tackling bureaucracy within Prosecution Services, this report recommends scrapping the current targets-driven prosecutions for a quality conviction alternative. Juries will undergo rigorous training if they are to remain and will be subject to inclusion quotas; barristers will have no control over jury composition and juries will provide justifications for their verdict to aid future prosecutions. Outside the courtroom, the reporting of criminal cases, particularly

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1 “Court cases should not be another assault of rape victims”, Noeline Blackwell, Irish Times, 2nd March 2018 https://www.irishtimes.com/opinion/court-cases-should-not-be-another-assault-of-rape-victims-1.3411544
SEXUALITY

At present, sex education across the island of Ireland is non-uniform between different types of schools, ranging from moderately comprehensive to severely lacking and abstinence-based. This results in higher than normal underage pregnancy rates relative to other OECD nations and high levels of STD rates. By 2040, we propose the implementation of a non-denominational, holistic, cross-government backed, positive sexual education programme that covers the interaction of gender, power dynamics, empowerment, rights and STI/STD prevention. It is imperative that this new sex education curriculum has gender literacy and sensitivity at its core.

We view the lack of marriage equality in Northern Ireland as being in direct opposition to Article Eight of the European Convention of Human Rights. Following on from Ireland being the first country to pass marriage equality legislation by means of popular vote, we expect by 2040 that the people of Northern Ireland will have the same marriage rights as their counterparts in Ireland. Furthermore, we call for the equal treatment of heterosexual, homosexual and non-binary relationships in all cases, including but not limited to adoption, pensions and land ownership.

Furthermore, the current one-year bans on blood donation across the island of Ireland against men who have sex with men (MSM) is rooted in outdated research and decades-old misconceptions about the LGBTQ community. This delay in advancing legislation is, in our view, a pressing example of existing heteronormative power structures, particularly given the almost non-existent cost of passing such legislation. We therefore propose that the island of Ireland takes the lead in becoming the first of the British Isles to lift the one-year ban on MSM blood donation.

RACE

“Racism must be consciously combatted and not discretely tolerated”
- Nelson Mandela

Throughout history, the people of the island of Ireland have emigrated and settled in all corners of the earth in times of hardship in search of a better quality of life, resulting in our present-day worldwide diaspora. Our island has also benefited from immigration as many Northern Irish and Irish returned, bringing with them new skills and expertise. In turn, many have chosen to settle here and our society has become increasingly diverse. Northern Ireland has seen a marked influx of minority ethnic groups since The Troubles, and an estimated 1 in 8 people in Ireland come from a non-Irish background.

However, we are faced with an uncomfortable truth that our island’s systems are not designed to reciprocate the welcome and integration that our people are offered when emigrating today. Instead, people from different racial backgrounds suffer systemic racial inequality and discrimination both in Northern Ireland and Ireland, facing hate crime and barriers to housing, employment and education. In fact, recent research has shown that almost half of all Irish adults believe that some cultures are superior to others or that people of certain ethnicities work harder than others. In 2017, the number of racist hate crimes exceeded the number of sectarian hate crimes reported in Northern Ireland,
following the over 25% increase in hate crimes in the UK in the wake of the Brexit campaign\(^3\). That non-nationals and non-citizens are less entitled to human rights than nationals and citizens of Northern Ireland and Ireland runs contrary to our central values and reputation as a welcoming island. In 2018, racial inequality and racist attitudes at the individual, community and institutional level are unacceptable.

By 2040, we envision a society in which our power structures do not negatively impact racial minorities, and all inhabitants of our island have equal opportunity to achieve their potential. We must dismantle any existing structures present on our island that perpetuate discrimination based on race, and we recommend the implementation of an anti-racism infrastructure that will empower all in political, social and economic spheres.

Although reports of discrimination, hate speech and outright violence saw a 33% rise in the first half of 2017, the European Network Against Racism (ENAR) Ireland maintain that the underreporting of hate crime remains a major issue, as victims do not see that crimes are adequately redressed. We need strong legislation against racially motivated hate crime in Ireland, as is now present in Northern Ireland, to demonstrate that such unpalatable racist and bigoted ideologies will not be tolerated. The Criminal Law (Hate Crime) Bill 2015 must be approved as a matter of urgency in order that racially motivated crimes are treated more seriously by the courts and offenders receive appropriate intervention. Furthermore, Northern Irish racial equality legislation must be expanded to cover issues of policing, and must be referred to with more regularity by the courts. In an island-wide re-introduction of the National Action Plan Against Racism, institutions and state bodies should have policies and procedures to ensure the political prioritisation of initiatives to combat racism. This will involve targeted recruitment of ethnic minority groups by local government, political parties, PSNI, An Garda Síochána and public bodies such as school governance boards, such that their demographics reflect the diversity of the communities that they represent. Private sector organisations should also be regulated to meet baseline targets on diversity.

While the Irish Department for Justice and Equality has recently announced the Community Integration Fund, set to tackle racism and foster positive exchanges through a programme of community-based language classes, intercultural celebration festivals and deliberate integration projects, a proportional Government-funded campaign led by an accountable department representative is also necessary in Northern Ireland. An expansion of Northern Irish peace and reconciliation frameworks should consider outreach to the migrant population in recognition that racial and sectarian hate crimes frequently intersect. In addition, a significant investment by both Departments of Education is required to implement, monitor and evaluate consistent and continuous intercultural competence and anti-racism curricula in schools, in an effort to break cycles of intergenerational attitudes towards race\(^4\) using early intervention. Similarly, migrant-led cultural sensitivity training should be made mandatory for all frontline staff rather than simply delivered where a need is identified, so that the onus is not on migrants to integrate and avoid racism by relinquishing their cultural identities.

In terms of employment, the island of Ireland is racially stratified with white over black ascendency\(^5\), such that the racial order primarily disadvantages non-European migrants, followed by Eastern-

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\(^3\) Devine D, (March 2018) Hate crime did spike after the referendum, LSE Brexit Blog - http://blogs.lse.ac.uk/brexit/2018/03/19/hate-crime-did-spike-after-the-referendum-even-allowing-for-other-factors/


By 2040, we wish that the issue of socio-economic disadvantage as a barrier to equality of opportunity will have been addressed on the island of Ireland. In particular, we wish to see such barriers tackled in the education of our young people. As it stands, where you come from on this island has a significant impact on the wish to see a transformation of the influence of religion on education on this island. This would manifest in the removal of barriers to education presented by the patronage of schools by religious organisations, and a move away from segregated education along religious lines which is particularly pertinent in the case of Northern Ireland.

In line with the Irish government’s ambition to make the Irish Education and Training Service the best in Europe by 2026, we see greater need for investment in the education of underrepresented groups who require increased support from primary level right through to graduation from third-level education. We therefore call for the composition of those in education by 2040 to be representative of the diverse mix of ethnicities, cultures and socio-economic backgrounds which will be present on this island by that point. We believe this is critical to fostering enhanced cohesion and societal well-being across the island. We therefore envision the following:

» An expansion of the DEIS system and continued evaluation of the methods used to identify schools which receive additional supports through the programme. We also encourage the establishment of a similar system in Northern Ireland.

» Increased funding for HEI outreach programmes focussed on schools in areas of socio-economic disadvantage.

» A convergence of the gap between school completion rates for pupils attending DEIS (currently 84%) and non-DEIS schools (currently 91%) to a maximum deviation of two percentage points, and a narrowing of the gap between those progressing to third-level education from disadvantaged communities (currently 26%) and those from affluent areas (currently 90%+).

» However, rather than suggesting that progression to third-level education is the solution to all socio-economic imbalances, we further recommend the establishment of paid apprenticeship and professional skills development opportunities which will allow individuals of varying academic ability to learn skills relevant to the needs of the economy in 2040.

European migrants, who remain overrepresented at the bottom of the labour market regardless of educational attainment. The Right to Reside and Habitual Residence Conditions also pose racial barriers to accessing employment. We propose that asylum seekers and refugees awaiting asylum should be granted the right to work under provisional permits after a maximum period of six months, with permits issued directly to migrant workers rather than their employers in order to protect them against employment bondage and labour exploitation. The system of housing asylum seekers in Northern Ireland as it stands is leading to destitution and must be de-commercialised, with a longer period of time permitted for those who obtain refugee status to find accommodation. Finally, the current direct provision allowance is insufficient to meet the cost of living in Ireland, thus, asylum seekers not in employment should receive the same supplementary welfare allowance as the Irish homeless living in hostels.
Investment in the development of specific literacy, numeracy and science curricula for socio-economically disadvantaged schools. This is aimed at eliminating differences in PISA (Programme for International Student Assessment) scores between pupils from socio-economically disadvantaged backgrounds and those from affluent backgrounds.

An increase in the number of bursaries and grants available to students from socio-economically disadvantaged backgrounds across the island. In Ireland, we advise against the introduction of income-contingent loans as a replacement to the student grants system due to the potentially negative impact it would have on the progression of underrepresented groups to higher education who will tend to be financially risk-averse.

An annual review of the cost of living in various locations across the island to ensure that student grants and finance are reflective of the real financial cost of studying. This may involve a stratification of grant levels to reflect varying price levels across the island. Students in full-time education should not be forced to bear the financial burden of lacking public or private intervention in other sectors of the economy, most notably in housing.

Access to primary and secondary school education should be equal for children across the island of Ireland. While private schools are not so prevalent in Northern Ireland, the Government of Ireland currently subsidises 52 fee-paying schools. We recommend that state funding should be removed from private schools by 2040. This represents an effort to dismantle the unfair advantage being afforded to those from affluent backgrounds at the expense of allocating additional resources to the mainstream public school system and, in particular, those from underrepresented backgrounds. We believe this action would contribute to a fairer, equitable and more inclusive school environment, while placing schools from various locations across the island on a more even footing. This would prevent the stratification of young children into various socio-economic categories based on the school they attend, contributing to greater societal cohesiveness and an environment of inclusivity on the island of Ireland.

The integration of various religions, cultures and technologies is extremely important for the future quality, success and relevance of the education system on the island of Ireland. At present, only 7% of schools in Northern Ireland are officially designated as integrated, with Lagan College being the first integrated school to open in 1981. In Ireland, 96% of primary schools remain denominational by faith, with 90% of these remaining under the patronage of the Catholic Church. In Northern Ireland, less than 1% of pupils attending Catholic schools identify as Protestant and only 6.6% of pupils attending Protestant schools identify as Catholic. As the majority of schools remain denominational in rural Northern Ireland and Ireland, few options exist for students of differing faith backgrounds. However, through active policy to combat segregation and aim towards increased integration, there remains hope for schools on the island of Ireland to become increasingly inclusive along multiple dimensions, not least of which is religion. In order to achieve the goal of greater integration in education, we propose the following:

- Working with community groups in Northern Ireland such as the Community Relations in Schools (CRIS) and the Northern Ireland Council for integrated education to decrease the number of segregated schools.

- The co-existence of integrated education and shared education, whereby schools and other education providers of differing ownership, sectoral identity, ethos, management type or governance arrangements provide opportunities for children and young people from different
community backgrounds to learn together.

- We also encourage the reform of religious patronage in schools. This is one of the major social changes we view as necessary for the island of Ireland to develop as a progressive and inclusive society, and involves an expansion of the number of non-denominational, multi-denominational and integrated educational facilities across the island.

- By 2040, we propose that 65% of schools across the island of Ireland will be non-denominational or multi-denominational, with particular emphasis on the development of such options at secondary level. Educate Together schools, in particular, have made an impact on primary school education in Ireland. However, a further critical move which has been lacking to date is the roll-out of such schools at secondary level. Without a second-level Educate Together school for pupils of the primary equivalent to progress to, baptism barriers will continue to impede access to education.

- The expansion of programmes such as the Yellow Flag Award across the island. This is an example of a positive initiative aimed at overcoming the separation of cultures in Irish schools. While this award represents a small action, it aims to promote diversity, inclusion and interculturalism to provide an important stepping stone towards welcoming the increasing cultural diversity of schools in Ireland and enabling students to see each other as equals. Cultures should be celebrated in school and mirrored in society if we are to learn and grow as an island.

- Magnet Schools are a relatively new phenomenon in the U.S which could be transferable across the Atlantic. They have a desegregation focus and a special curriculum, attracting a myriad of students from different racial backgrounds as part of voluntary diversity and remedial desegregation efforts. We should learn from these and introduce diversity efforts in education on the island of Ireland. This is one of the ways in which young people can start to see intersectionality from a younger age and therefore grow up with a better comprehension of equity.

Seymour Papert, an MIT scholar led a campaign to revolutionise education with the computer. He said it was not a classroom gadget, but a key to unlocking a child’s excitement for learning. We believe that the island of Ireland can use this key to open doors for future students. Currently, socioeconomic barriers limit students’ access to technology both in the classroom and at home. By 2040, we envisage funding to introduce more technology to the classroom for schools in areas of socio-economic disadvantage across the island. Adaptability to change remains key to our progression. Student teachers throughout the island should be extensively trained on the use of technology in the classroom, as this is currently a minute section of most educational courses in Ireland. Critically, without the buy-in of teacher training colleges and continuing professional development, the digital revolution will remain a small-scale reform undertaken only in schools serving those of privilege and advantage.

**POLITICS & NATIONAL IDENTITY**

A common and recurring theme throughout the island of Ireland’s past is a disconnect from political structures in place at the time, and in particular, traditional voting along green and orange party lines. This has helped to cement and reinforce negative power structures on the basis of national identity, which continue to have a destabilising effect on the delicate peace process in Northern Ireland. In

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order to ensure that the people on this island have the tools required to move on from the past, we would make the following proposals:

» As previously discussed in the section on education, the development of active policy to combat segregation and aim towards increased integration will ensure a gradual move away from traditional identity voting lines.

» Currently, participation in elections varies largely across the island. To improve this disconnect from the political process, we propose increased collaboration with Citizens’ Assemblies to allow for the direct input and open challenging of power structures behind the institutions of government.

» Additionally, technology can be harnessed to encourage participation in civic duties from marginalised groups of society, such as those living in rural or socio-economically disadvantaged areas and those with a disability.

» Finally, this paper proposes the lowering of the voting age for all elections and referendums in order to encourage active civic duty from a younger age and counteract political disengagement.

LAW & SOCIETY

Negative power structures on the island of Ireland are currently protected by our legal systems. Currently victims of crime are not statistically likely to see their perpetrator(s) convicted. Additionally they may face difficulty in accessing the funding or government services needed to help put their lives back together. In particular, those affected by more than one axis of intersectionality are likely to be affected by geography as a limiting factor in attending courts or counselling services. In addition to limiting access to justice for some, our civil legal statutes can favour those with power (financial and otherwise) to avail of loopholes, evade justice and reoffend. These problems permeate beyond poor law making, but into the way that laws are implemented, with juries, judges, the prosecution services and the police participating in processes that can sustain negative power structures.

However, though misconceptions still abound, both Ireland and Northern Ireland have begun to have difficult conversations about the role of law in society.

By 2040, Northern Ireland and Ireland will tear apart negative power structures and have amended their constitutions to include a purpose or goal for law in society. This goal will be achieved by

» Investing in robust legal education to ensure that the public hold the law to account.

» Reimagining the criminal trial with a view to getting best evidence, as opposed to adversarial victory, following the recommendations previously discussed in the section on gender-based violence.

» Creating a law-making process to ensure laws are implemented and reviewed in a timely manner. Currently the justice system works on targets driven process to increase the number of convictions. This would change to a target to reduce certain crimes in certain areas.

» Removing barriers of intersectionality by understanding that justice needs to be contextual and not equal. Currently tickbox formulas are used to determine sentencing guidelines, without taking into consideration the more subtle context of the crime, for example motivations. By
understanding the multiple factors at play, as opposed to the simplistic ‘good and bad’ distinction, and reflecting this in sentencing guidelines will crimes and rehabilitation lead to a less violent society.

» Focusing on rehabilitation and reintegration as opposed to punishment as a goal.

» No longer operating in silos but will incorporate insights from the realms of medicine and psychology, amongst others.

LEGAL EDUCATION

Ireland currently offers a Civil, Social and Political Education course which encompasses a brief legal education. No such alternative exists in Northern Ireland. We envision this course to be broadened to ensure young people understand how law interweaves into the social, political, historical and economic arenas of society and how it can be utilised to implement the ideals set out in the country’s constitution.

This will include an understanding of how law can improve standards of living and how to campaign for legal change. An engaged, educated public will lead to continuous and more rigorous challenging and dismantling of negative power structures. A comprehensive legal education also allows for the exploration of law into vacuum areas, such as meeting the challenges of globalisation and the currently unfolding technological revolution.

MAKING AND IMPLEMENTING THE LAW

In developing implementation processes for laws, governments will appoint bodies to ensure that those affected by legal changes are briefed and supported. Laws and government contracts to deliver policy will automatically be reviewed pre-implementation to ensure that they are environmentally friendly and have an accessibility provision. Following on from the current constitutional reviews being undertaken by the Irish government, the island of Ireland will set a precedent of reviewing its laws to establish areas for improvement.

MAKING LAW ACCESSIBLE

The law is currently not an accessible solution to those who cannot afford it, so this report recommends protecting a properly funded legal aid budget in order to best protect society. Both countries have poor records regarding equality, but this problem can be addressed by leapfrogging the limits of liberalism on equality law and moving towards a contextualised system based on equity instead. This paper recommends evolving all discrimination law to work on a ‘multi-axis’ approach in order to address the lived experiences of those who experience discrimination on multiple grounds. Instead of treating every victim of discrimination under a singular ground (gender/sexuality/race) this report recommends treating a victim as an individual and addressing their needs; distinct from having a blanket solution for broad identities. This will help cement intersectionality into law on both sides of the border which will eliminate the power dynamics perpetuating patterns of privilege.
Currently, the crime conscious policy of ‘punishment as deterrence’ is pushing the disadvantaged and unprivileged who run afoul of the legal system into a downward spiral, with little opportunity to develop in order to avoid recidivism. Statistical evidence has consistently highlighted that ‘punishment as deterrence’ policies do not stop reoffending; if anything, they encourage it. The investment in legal education will allow the public to develop a broader and kinder understanding of the alternative functions of the legal system, such as the protection of the public, promotion of social responsibility and enhancing human development. By 2040, the island of Ireland will have developed comprehensive rehabilitation and reintegration processes from the point of arrest, with the aim of diverting away from the criminal justice system to alternative measures, including a restorative justice process or suitable treatment, including community service. This will weaken power structures by providing a ‘safer’ safety net and a higher base level from which to challenge power and privilege.

The combination of these proposed changes will allow the island of Ireland to aid the disadvantaged and unprivileged in utilising the law to hold the privileged to account and dismantle power structures.

Currently, 13% of the population of Ireland, and 20.6% of the population of Northern Ireland are reported as having a disability, making them more likely to experience poverty, have poorer educational outcomes and limited employment opportunities. This paper recommends developing a comprehensive programme for Accessibility Audits and incorporating disability awareness into our education system, including awareness of invisible disabilities. Disability will be normalised in the media, businesses will be championed for creating accessible products, and government contracts will require the mandatory inclusion of an accessibility provision. The cost of these changes can be justified by the ‘Purple Pound’ – the revenue businesses, museums and universities are not gaining from disabled citizens who cannot currently participate fully in society.

Our vision for the island of Ireland in 2040 will require the reimagination of a new understanding of power structures and intersectionality, one which strives for fairness and equity in our political, social, educational and legal structures.

In order to dismantle negative power structures, it will be essential to reexamine the elements that lead to their existence, and to understand the way in which the numerous facets of diversity interplay. This will lead to the development of a culture of fairness and greater societal cohesiveness for which we wish to be known in the world. We don’t merely wish for equality on paper; we want it to permeate every aspect of life for our citizens, regardless of their gender, sexual orientation, socio-economic background, level of education, race and physical or mental ability. Furthermore, our legal and education systems should be reflective of this.

We believe the proposals we have set out in this paper will level the playing field for all our citizens and provide positive pathways to the social changes of tomorrow, that the island of Ireland will be ready to face, both at home and on the world stage. We wish for the island of Ireland to be at the forefront of change. It is up to us as citizens to get us there.