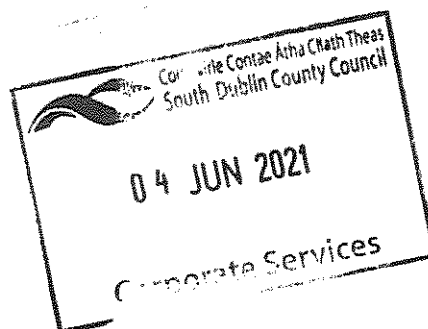




Ms. Miriam Reilly  
Meetings Administrator  
South Dublin County Council  
County Hall  
Tallaght  
Dublin 24, D24YNN5



2 June 2021

**Minister's Reference: DJE-MO-02450-2021**

Dear Ms. Reilly,

Thank you for your correspondence to the Minister for Justice Helen McEntee TD on the motion agreed among your members in relation to Hate Crime legislation. Minister McEntee has now commenced maternity leave.

As these matters now come within the responsibility of the Minister of State at the Department of Justice, Hildegard Naughton TD, your correspondence has been forwarded to this office and Minister Naughton has asked me to reply to you on her behalf. I would like to apologise for the delay in responding.

Justice Plan 2021 commits to the introduction of legislation to address those who target victims because of their association with a particular identity characteristic, and to revise and update the Incitement to Hatred Act.

The Department undertook a broad consultation to identify how Ireland's law in this area could be improved, based on a clear understanding of the experiences of those impacted by hate speech and hate crime. This included in-depth consultations with various civil society and community groups, academics and experts, a public consultation process and a detailed comparative study of approaches to hate crime in five other jurisdictions. The purpose of this extensive work was to ensure the Department could identify how Ireland's law in this area could be improved, based on

a clear understanding of the experiences of those impacted by hate speech and hate crime.

You will be able to see from the report and the appendices that many of those who engaged in the consultation process were victims of hate speech and hate crime themselves, while others were concerned about the very real need to respect the human rights of everyone involved, including the right to freedom of speech. The report and its appendices are available on - [http://www.justice.ie/en/JELR/Legisating for Hate Speech and Hate Crime in Ireland Web.pdf/Files/Legisating for Hate Speech and Hate Crime in Ireland Web.pdf](http://www.justice.ie/en/JELR/Legisating%20for%20Hate%20Speech%20and%20Hate%20Crime%20in%20Ireland%20Web.pdf/Files/Legisating%20for%20Hate%20Speech%20and%20Hate%20Crime%20in%20Ireland%20Web.pdf)

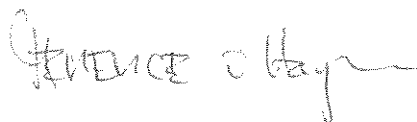
A general scheme (outline) of the Hate Crime Bill was drafted and brought to Cabinet for approval in April. The proposed Bill creates new, aggravated forms of certain existing criminal offences, where those offences are motivated by prejudice (in the mind of the perpetrator) against a protected characteristic - the protected characteristics being those already contained in the Prohibition of Incitement to Hatred Act 1989, extended to include gender (including gender expression or identity) and disability.

The General Scheme is available at link here: [http://www.justice.ie/en/JELR/General Scheme Criminal Justice \(Hate Crime\) Bill 2021.pdf/Files/General Scheme Criminal Justice \(Hate Crime\) Bill 2021.pdf](http://www.justice.ie/en/JELR/General%20Scheme%20Criminal%20Justice%20(Hate%20Crime)%20Bill%202021.pdf/Files/General%20Scheme%20Criminal%20Justice%20(Hate%20Crime)%20Bill%202021.pdf)

Justice Plan 2021 commits to having this legislation enacted before the end of the year.

I hope this information has been of assistance to you and your members.

Yours sincerely,



Terence O'Hagan  
Private Secretary to  
Minister of State Hildegard Naughton T.D.

