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Committee on the Elimination of  
Discrimination against Women  
Eighth session

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Concluding comments of the Committee on the Elimination of  
Discrimination against Women: Ireland

Initial report

63. The Committee considered the initial report of Ireland (CEDAW/C/5/Add.47) at its 135th and 140th meetings, on 22 and 24 February 1989 (CEDAW/C/SR.135 and 140).

64. The representative of Ireland introduced the report by providing additional information on the situation of women subsequent to the submission of the initial report in 1987. He stressed that progress since then had taken place at a time of great economic and fiscal stringency. Ireland still had high levels of unemployment and emigration. The former was a major cause of poverty, the stress of which usually had more impact on women, and so the Irish Government had preserved the real value of social welfare (income support) entitlements. Further provisions had been made in the 1989 Budget for the poorest people, particularly families with low incomes.

65. The representative reported that a new government mechanism for supporting and developing equal opportunities for women had been set up in April 1987 to replace the Office of the Minister of State for Women's Affairs. Also, an overall co-ordinator of government policy responsible for monitoring developments had been appointed, and a co-ordinated report on equal opportunity, the first of a series,

had been produced by the Minister of State at the end of 1988. The representative gave details of the continuing work of the Joint Parliamentary Committee on Women's Rights, the Employment Equality Agency and the Council for the Status of Women.

66. In the area of education, the representative emphasized that the promotion of equal opportunities throughout the entire educational system had been sustained and developed to eliminate sexism and sex-stereotyping at all levels. Curricula and the assessment of educational attainment at primary and secondary-school levels had been subjected to review bodies, and equality in access to training had been promoted. Further policy measures to encourage a greater participation of women in sport included the award of additional grants to women's organizations.

67. In the area of employment, the representative reported that the most significant statistic was the high unemployment rate of 18.6 per cent. He reported that the overall figure for women's participation in the labour force was 30.9 per cent. Since the submission of the initial report, the Employment Equality Agency had assisted complainants with all matters relating to employment. A major development was the fact that the Minister for Labour had recently submitted proposals for the reform of existing equality legislation in order to solve problems that had arisen in enacting it. The representative also reported on new initiatives in training, in non-traditional vocations and in giving encouragement to women entrepreneurs.

68. The representative reported on developments in regard to the legal protection of children. He also outlined the initiatives taken to study women alcoholics and to amend the law on rape.

69. In the area of social welfare, the representative reported on the extension of health insurance schemes, at the demand of Irish women's groups, to include dependent spouses. A further positive development was the extension of social insurance cover to self-employed persons, thus removing the necessity for widows to undergo a means test. Further measures contained in the 1989 Budget would bring into line the social welfare entitlements of all persons.

70. The representative referred to the development co-operation programme of Ireland, which actively pursued and supported specific policies for the promotion of women in development at the bilateral and multilateral levels.

71. Since 1987, Ireland had enacted legislation that had permitted the withdrawal of reservations with respect to the Convention, made at the time of its accession, on nationality and citizenship, domicile and equal treatment in matters of social security. It was not envisaged, however, that the remaining reservations would be withdrawn.

72. In his conclusions, the representative stressed the commitment of the Irish Government to realizing the objectives of the Convention. He said that Ireland was fully aware of the work that remained to be done to ensure de facto as well as de jure equality of opportunity in Irish society.

73. The Committee expressed its appreciation for the technically excellent and comprehensive report, which had been produced in accordance with the guidelines. The report gave a clear picture not only of the legislation, but also of the actual situation of women, in Ireland. The commitment of the Irish Government to the implementation of the articles of the Convention was noted, as was the prompt

submission of the report after the accession by Ireland to the Convention. The Committee took note of the Government's view that further improvement was possible and encouraged the Government to maintain the initial impetus.

74. The withdrawal of several reservations was particularly welcomed and members of the Committee expressed the hope that the remaining reservations would be reviewed and withdrawn soon. Clarification was requested on the representative's comment with regard to the reservation of the State party to article 15, paragraph 3, of the Convention, in which it was stated that strict adherence to it would be against the spirit of the Convention.

75. The Committee welcomed the use of the media and the publicity that had been given to the Convention by the Irish Government. The Committee requested information on the new office that had replaced the Office of the Minister of State for Women's Affairs as regards its budget, the number of persons involved, how it was organized and how it functioned. The importance given to women's organizations was noted.

76. It was observed that the new policies were not well balanced and that the ones concerned with employment were less conservative than those concerned with the family. It was noted that women were not integrated into political decision-making and information was requested on any steps that had been taken to encourage women to participate in political decision-making bodies.

77. The Committee requested more details on the "external forces" mentioned in the report under the section on women in Irish society and it was asked if those forces still existed and what had been the consequences. The Committee also asked whether factors other than emigration had contributed to the high level of unemployment in Ireland and what proportion of the migrants were women.

78. Observing that the terminology used in the Irish Constitution could lead to discrimination, the Committee asked whether it was considered sufficient to safeguard the rights of women in the social sphere.

79. The Committee asked for comments on whether the positive measures taken to amend the legislation might not also have potential adverse consequences. More details were requested on the nature of the complaints handled by the Labour Court. Also, clarification was sought on who could report a rape to the authorities.

80. It was asked whether standards had been established and goals set for achievements and progress within the year in the positive action programmes.

81. Emphasizing the importance of the media in eliminating stereotypes, the Committee asked whether a self-regulating body was sufficient and how successful it had been. It was asked whether all advertisements had to comply with the law and how many, in fact, did, and whether a bill was being prepared to cover private television companies. The Committee also asked if any publicity programme was being used to encourage women to enter public life and suggested that such a measure could help to bridge the gap between the law for equality and the low level of participation of women in politics.

82. The Committee inquired how prostitution was dealt with by law and whether it could be considered an offence by both sexes. Details of the treatment under the

law of procurers and clients were requested. It was asked whether the law on soliciting had been implemented. Information was requested on the incidence of prostitution and whether any studies on it had been carried out, and what happened in the case of rape.

83. Details of how the National Women's Talent Bank was organized, how it was used and whether it had been beneficial to the employment of women were requested. The statistical data presented in tables in the report showed the representation of women in the Senate and in the main political parties to be low and reasons for that were requested. It was asked if there was any evidence of more involvement or interest on the part of women, rather than a natural increase in the population, that had led to the increase in female candidates. Information was requested on the participation of women in political parties, on their roles and posts at the executive levels and whether the work of women was confined to the social areas. Observing that there was a low level of participation of women in all levels of administration in public life, the Committee asked the representative if any reasons for that were known. The Committee observed that only recently had married women been able to make a career in public life and an improvement in their participation was noted.

84. Members of the Committee requested statistics on the proportion of women in the diplomatic service and the level of their involvement, as well as on the overall number of women in the foreign service and the reasons for their low participation.

85. In the area of education, the Committee asked if co-education was well received and prevalent and if the programme of action had been successful. More details of scholarships and study grants were requested. Information was requested on whether sex education was conducted and, if so, what its effects had been. Data on the drop-out rate for women were requested as well as on efforts made by the Government to reduce it. Details of the reasons for women not completing their education were requested.

86. In the area of employment, more information was requested on shared work and on the figures for part-time work. Clarification of the conditions of maternity leave for part-time workers was requested. While there appeared to be legislation to safeguard equal pay for work of equal value, the Committee noted that there were still obstacles to its implementation. The report of Ireland was one of the few that had attempted to clarify the situation and members of the Committee said that it would appreciate being informed of the experiences of the Government; since the laws applied to both the public and private sectors, details of the experience of applying the legislation to both sectors were requested.

87. The Committee asked questions about access to, and policies governing, child-care facilities including whether crèches and kindergartens were open to all women or only working women or those who could afford the fees. Details of the amount of funds available for child-care facilities and the degree of reliance on voluntary organizations were requested. The Committee also wished to know who were involved in those voluntary organizations and, if they were women, whether that situation perpetuated their role of helper. The Committee was interested to know if there were any sectors of employment that were not open to women who were married or had family responsibilities.

88. One Committee member observed that the report had stated that it was the duty of the State to provide the right to work and wished to know how the Government would evaluate the existing level of unemployment. The report stated further that the Government guaranteed economic security for women and the Committee wished to know how that was achieved.

89. In the area of health, more information was requested on the degree of access to contraceptives for women under the age of 18 in the light of the rising incidence of teenage pregnancies generally. It was asked why a prescription was required for contraceptives. Statistics, if available, were requested on the number of Irish women who had had clandestine abortions (in Ireland or abroad). It was also asked whether the fact that abortion was illegal was not considered by the Government to be contrary to the objectives of equality of opportunity and self-determination enshrined in the Convention. Exact data were requested on deaths resulting from illegal abortions and it was asked whether any action had been taken to stem the increase in deaths. Further, the Committee wanted to know if there was a strong movement from feminist groups with regard to legalizing abortion and if anything was being done to change the law. The Committee also wished to know whether abortion in the case of rape was illegal and whether there were any legal consequences for persons in that situation.

90. The Committee asked if the health education programmes were co-ordinated by the Health Education Bureau with general education programmes. Information was requested on the Government's plans with regard to research and awareness programmes on the acquired immunodeficiency syndrome (AIDS).

91. In the report, health programmes and services were stated to be free to all. The Committee sought clarification on whether that meant the working population or everyone.

92. Details of the number of refuges for rape victims and drug abusers were requested. The Committee asked if there was any law to control drug abuse and at whom it was directed. Statistics were requested on the incidence of drug abuse in youth in general, as evidence had shown that new-born babies were affected by the drug addictions of both parents. Details of the task force to deal with drug abuse were requested. The Committee asked for figures on the number of women drug addicts and for details of any positive action that had been taken. Details of the legal penalties for consuming, selling, distributing and buying drugs and on the type of drugs involved were requested.

93. Members of the Committee asked for details of the assistance given to indigent women living in rural areas.

94. The Committee inquired about the number of couples cohabiting in Ireland and whether the partners in such an arrangement were treated equally in society. Although there was no provision for divorce in the Constitution and divorce had been rejected by the 1986 Referendum, it was asked whether there was any form of judicial separation. The Committee asked about the extent to which religion affected married life and children, and for information on the incidence of breakdown of marriage as well as on the effectiveness of the pilot project on the Family Mediation Service.

95. The Committee asked how the new adoption act differed from the earlier one and if single parents could adopt. Members were interested to know whether any of the recommendations of the Review Committee on Adoption Services had been accepted.

96. The Committee inquired whether any studies on violence within marriage had been made and whether rape within marriage was regarded as an offence.

97. The representative responded first to the general questions that had been posed by the Committee. He described the three-year programme on national recovery that was part of the global policy of the Irish Government to combat unemployment. That programme had been agreed by the social partners (employers, workers, farming organizations) and its main objective was to develop the economy, thereby increasing employment and reducing the excessive levels of government borrowing and debt. The programme set out the targets for new jobs in key sectors of the economy and the agreed strategies for the social partners to achieve those targets. The representative reported that the Labour Force Survey of 1988 had shown that, for the first time since 1980, the number of jobs had increased appreciably and unemployment had been reduced.

98. In response to questions posed on the new organizational arrangements for equality issues within the Irish Government, the representative reiterated that the Prime Minister had personally instructed all the members of the Government to advance the position and status of women in all aspects of their responsibilities and had assigned specific responsibility in women's affairs to individual ministers. The Prime Minister had assigned a Minister of State within his Department to co-ordinate and monitor all government initiatives on equality. In 1988, the Minister of State had published a public document on the developments that had occurred since the new arrangements were introduced.

99. The representative said that it was difficult to compare funding for the new co-ordinating arrangements with those for the former Office of the Minister of State for Women's Affairs. The Prime Minister's Department continued to fund the Council for the Status of Women and had increased its allocation in 1988 and 1989. Other women's organizations were funded directly by the department concerned. He said that the Council for the Status of Women was a broad-based organization open to any group that was actively or primarily involved in furthering the interests of women. Currently, 75 women's groups were affiliated to the Council, whose constitution specifically precluded political organizations from becoming members. The Council operated on the basis of consensus but could also decide its position by referendums.

100. The representative reported that the involuntary or forced emigration of persons seeking jobs was currently a serious problem for Ireland. That problem was particularly acute because of the age structure of the population, with 28 per cent aged 15 years or under. Other emigrants were mainly young single men and women although another pattern of older emigrants had emerged, whereby a husband would work abroad to support a family at home. A disaggregation of figures for emigrants by gender was not available.

101. The representative clarified the position of the Irish Government regarding the remaining reservations to the Convention. Regarding articles 13 (b) (access to bank loans, mortgages and other forms of financial credit), and 13 (c) (participation in recreational activities, sports and all aspects of cultural life), the Constitution allowed any citizen to pursue a grievance through the courts and further specific legislation was not considered necessary. With regard to the statement on access to private clubs, it was considered that a ruling of the High Court that was pending might determine the fate of the objections in relation to individual rights under the Constitution. With regard to the reservation on

legal capacity, it was felt that the argument could well be a semantic one and a further study had been proposed with a view to withdrawing the reservation. He said that there was no intention of withdrawing the remaining reservations. The Irish Government considered them fully in conformity with the aims of the Convention.

102. Responding to questions raised under specific articles of the Convention, the representative explained that the Irish Constitution did not guarantee absolute equality for all citizens in all circumstances but provided a guarantee of equality for all citizens as human persons commensurate with their dignity as human beings. The Constitution guaranteed against any inequalities founded upon the assumption or belief that some individuals or classes of individuals, by reason of their human attributes or ethnic, racial, social or religious backgrounds, were to be treated as inferior or superior to other individuals in the community. As regards the terminology used in the Irish Constitution, the Government was satisfied that the reference in article 40.1 to "social function" created no obstacle to eliminating discrimination against women in Irish society.

103. The Irish Government defended the scheme for flexible working hours, job-sharing and career breaks in the public sector as it provided a means by which women could maintain a foothold in the labour market and return to secure full-time employment as their personal circumstances and job vacancies allowed. The representative said that those measures had been sought and welcomed by the trade unions in Ireland.

104. The representative said that anyone could report an incident of rape or sexual attack but prosecution depended on the victim bringing charges against the perpetrator. The support programmes for victims of rape consisted of a specialized medical and counselling centre in Dublin and a network of rape crisis centres in the larger urban centres, which provided full medical counselling and psychological support for the victim. An important role of the centres had been the contact with, and the sensitizing of, the police.

105. The representative reported that positive action strategies were assessed by continuous appraisal, which was an integral part of the monitoring and evaluation process. The practical effects of the appraisal process were an increase in the Small Industries Grants to women from 3 per cent in 1984 to 20 per cent in 1987; an increase in the participation of women in apprenticeships in the period 1986-1988 of 12 per cent; and the issuance of a policy statement by the Minister of Justice setting an initial target for levels of female staffing in the prison services, which had yet to be achieved. Furthermore, in 1988, 36 per cent of the persons receiving vocational training were women.

106. The representative responded to questions on the effectiveness of controls over advertising standards. The Code of Advertising Standards for the State radio and television service (RTE) required that all advertisements should have a high degree of responsibility and pay due regard to the changed role of women in Irish society. Further self-regulatory controls applied by the Advertising Standards Authority for Ireland included references to decency, honesty, the inherent equality between the sexes and the need to avoid derogatory judgements of either sex. It was considered that the close monitoring ensured a correct portrayal of women in the media. A recent study had shown that there were fewer advertisements exploiting the female body and a trend to portray men carrying out domestic tasks. The ultimate sanction for non-compliance with the Code of Advertising Standards was

the withdrawal of the offending advertisement at a substantial financial loss to the advertiser.

107. It was felt that article 41.2.1 of the Irish Constitution, which provided that "the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved" reflected the sentiments expressed in the preamble to the Convention and there were no proposals to change it.

108. With regard to the article on prostitution, the representative stated that in cases of soliciting of women by men, charges were preferred against both the prostitute and her client under general legislation dealing with indecent exposure and actions contrary to public decency. Legislation was also in force with regard to cases of the soliciting of men by other men on behalf of prostitutes or of men soliciting for homosexual purposes. The representative reiterated that the proposals for legislative reform referred to in the report remained under consideration by the Government. No objective assessment could be made of the incidence of prostitution owing to Court decisions in recent years that had rendered the legislation inoperative. The representative was not aware of any studies on prostitution that had been undertaken in Ireland.

109. The representative explained that the National Women's Talent Bank was a directory of women who were considered suitable for appointment to State boards on the basis of their skills and experience. The directory had been compiled by a unit operating under the aegis of the Council for the Status of Women and was supplied to all government departments.

110. The representative confirmed that the higher proportion of female members of parliament and senators for the period 1957-1982 had resulted from the increased participation of women in Irish political life rather than any changes in the population structure. That increase reflected the efforts of the feminist movement since the early 1970s and, in particular, of the Women's Political Association. Disaggregated statistics of membership for all political parties according to gender were not available, but two of the five main political parties reported that women constituted 45 per cent and 24 per cent of their membership, respectively. With one exception, the participation of women in the main political parties had increased since 1984. Women currently held the posts of Minister for Education, Minister of State for European Affairs and Government Co-ordination, and Chairperson of the Senate, and chaired the parliamentary committees dealing with women's rights and European Community legislation. Among the opposition parties, the portfolios held by women included foreign affairs, Northern Ireland, agriculture, justice, marine affairs, health and development co-operation.

111. The representative informed the Committee that over the past 10 years, 33 per cent of the recruits to the diplomatic service, which incorporated the consular service, had been female.

112. The representative reported that the Department of Education had issued guidelines to post-primary schools for sex education, which emphasized the importance of consultation with, and the support of, parents in devising programmes of education and guidance on sexuality. Machinery for liaison between the Department of Education and the Department of Health (including the Health Promotion Unit) had been designed to ensure that the policies affecting life skills, including sex education, pursued by the two departments were complementary.



113. The representative stated that approximately 75 per cent of the national primary schools were co-educational and 77 of the 84 new schools established since the Programme for Action in Education had been adopted in 1984 were co-educational. At the secondary-school level, all new State-run schools were co-educational as a matter of policy and the trend for privately managed secondary schools to amalgamate and become co-educational was encouraged by the Department of Education.

114. Statistics showed that, at the post-primary level, the drop-out rate for girls was 19.7 per cent compared with 32.4 per cent for boys. The completion rate at tertiary-level institutions showed little difference between male and female students, 94 and 87 per cent respectively; for institutions offering non-degree courses, the figures were reported to be less reliable and estimated at 65 and 51.5 per cent for male and female students, respectively. A new programme of special education and training for those who left school with few or no qualifications came into force in January 1989 aimed equally at young people of both sexes.

115. The representative reported that the two sources of educational scholarships at the tertiary level were grants funded by the State (which had been drawn on by 23.2 per cent of the female students and 20.5 per cent of the male students), and grants funded by the European Social Fund, which applied mainly to the job-training sectors (which had been drawn on by 36.2 per cent of the female students and 42.4 per cent of the male students). Overall, grants were available to 60.9 per cent of the female university students and to 62.7 per cent of the total student population.

116. As regards employment, the representative quoted statistics that showed that, in the civil service, 67 per cent of the persons taking career breaks and 95 per cent of those sharing jobs were women. Figures for the wider public service (in which the main professions of teaching and nursing were female-dominated) were not available but were likely to show a higher incidence of women interrupting or sharing their careers. Sixty-nine per cent of the part-time workers were women. In order to qualify for protective legislation, part-time workers had to work a minimum of 18 hours a week; of those working fewer hours, 86 per cent were women.

117. Within the context of the State having to reduce its level of borrowing and debt, child-care services were currently provided for disadvantaged children only. The legislation on child care currently before parliament would establish standards for the supervision of nurseries, crèches and play groups in private day-care centres. The costs for private child care were estimated to constitute 10-13 per cent of a combined male and female average industrial wage. Many families relied on family resources to assist with child care. Women had access to child-care facilities, if provided, at the spouse's place of work. Reliance on voluntary organizations providing child care was recognized as not being an ideal solution but it would have to continue under the current economic climate.

118. The representative stated that the protection afforded by employment equality legislation extended to pregnant women who applied for jobs.

119. The maternity allowance was paid, together with a non-taxable social welfare benefit, for the 14-week period of maternity leave and was equivalent to, or higher than, the usual take-home pay. The representative clarified the fact that the maternity allowance applied to women in full-time employment, who were entitled to resume work with their current employers at the end of the 14-week period, while

the maternity benefit applied to women currently out of work who had sufficient insurance contributions and to women who intended to stop working after the birth of the child. The maternity benefit was paid for 12 weeks, at a lower rate than the maternity allowance.

120. In response to the question on whether there were any sectors of the labour market in which the marital or family status of women remained an obstacle, the representative stated that minor exclusions existed only in the defence forces, the police and the prison services.

121. It was considered that the cases currently referred to Equality Officers of the Labour Court were of a more complex nature than earlier ones and the decrease in the number of cases was on account of fewer infringements of the legislation that had been in existence for more than a decade.

122. The criteria for judging work of equal value in equal pay claims were explained by the representative. He gave an example of a case in 1985 of equal pay for work of equal value that had been successfully upheld. In answer to the question on how the law on equality could cover both the public and private sectors, the representative stated that the employment laws did not impose restrictions but, rather, conferred rights on some individuals and obligations on others and thus struck a balance between the two. The Constitution conferred those rights globally, in both the public and private sectors, except in circumstances where a distinction could be clearly justified as in laws that protected a category of citizens such as children.

123. The representative responded to the questions in the area of health. On the subject of abortion, he explained that Irish law did not distinguish between clandestine and other abortions. Abortion had been illegal since 1860 and the provision had been upheld by a referendum held in Ireland in 1983. A number of women's groups had played a prominent role in lobbying for abortion rights during the debate preceding the referendum but the feminist movement was not united on the issue. Police authorities had not reported any incidences of clandestine abortion in Ireland and it was believed not to occur as Irish women could avail themselves of legal and safe abortion facilities in the United Kingdom. On the question of the demand for abortion, the number of women who had given an address in Ireland and who had availed themselves of an abortion in the United Kingdom in 1987 was reported to be 3,700, but it was considered that that figure might be low due to under-reporting. In answer to the question of whether the absence of abortion rights meant that many women would have to function as single parents with the attendant economic difficulties, the representative informed the Committee of the special weekly unmarried mother's allowance, which was available subject to a means test.

124. With regard to the entitlement of citizens to hospital services, the representative stated that persons whose means were below a certain level were entitled to the full range of health services without charge and that approximately one third of the population fell into that category. Charges for in-patient services and specialist services in out-patient clinics were related to the patient's income. Maternity services were free of charge for women with low and middle incomes.

125. It was reported that out of a total of 17,534 persons in Ireland who had voluntarily taken the test for the human immunodeficiency virus (HIV) antibodies, 742 had tested positively. No disaggregation of the figure by gender was available. Of the total number of confirmed clinical cases of AIDS, fewer than 10 per cent were women. Besides male homosexuals/bisexuals and haemophiliacs, there were a disturbing number of intravenous drug abusers whose tests had been positive. A confidential HIV-testing service was available through any general practitioner, clinic for sexually-transmitted diseases or major general hospital. Testing for women was also available through maternity hospitals and the maternity clinics of general hospitals, and pre-test and post-test counselling were an integral part of the test.

126. The representative stated that the specific laws on drug abuse were contained in the Misuse of Drugs Acts of 1977 and 1984. Cases of persons who had been convicted for drug abuse were punishable by imprisonment and fines. There was no limit to the financial penalty for supplying drugs and the maximum term of imprisonment was life. Statistics showed that 27 per cent of the total number of patients attending the Drug Advisory and Treatment Centre at Dublin were women or girls. In response to a specific question, the representative identified the most frequently abused drugs as heroin, minor tranquillizers, alcohol, cannabis, Temgesic, physeptone, DF118 and morphine and reported that many addicts in Ireland abused several drugs simultaneously. He said that the requirement for prescriptions for contraceptives was considered important so that regular medical supervision could be maintained.

127. On the question of poverty in rural areas, the representative stated that with the large shift of the population to urban areas during the previous 20 years, poverty in Ireland was based mainly in the cities. A State agency to combat poverty had been established with a central focus on giving support to community development projects. Seven specific areas had been identified for support, including women's and family groups.

128. The representative explained that the 1988 Adoption Act had been devised to cope with the specific problem of children who had been neglected or abandoned by their parents and who were taken into care by the State. Before the enactment of the 1988 legislation, such children could not be adopted without the consent of their parents. Those children were in many cases condemned to an institutionalized life as the parents were, by definition, either negligent or uncontactable. Under the new Act, such children could be adopted following an application through the High Court. In general, only married couples could adopt.

129. On the question of marital breakdown, the representative reported that the only available statistic indicated that separated and divorced persons had represented 2 per cent of all married couples in 1987. Indications were that social attitudes varied in accordance with age and domicile. The provision for judicial separation under Irish law, divorce a mensa et thoro, had been described in the report. Agreement had been reached between the Government and the main opposition parties on the terms of judicial separation and a nascent Family Law Reform Bill would greatly ease the conditions under which a judicial separation could be obtained. The Bill would also empower the court in separation proceedings to make orders for maintenance, secured maintenance, lump-sum payments and orders relating to the property owned by either spouse. The Bill would also provide for a more informal hearing and the use of counselling and mediation services. The representative said that recent Court judgements had halted the introduction of a

statutory right to an equal share in the family home and its contents. He informed the Committee that a High Court decision of 1988 had conferred a half share in the family home and contents on a non-working spouse. No realistic conclusions could be drawn regarding the success of the operations of the Family Mediation Service as that was still under trial.

130. No details of studies on violence within the family were available owing to the time constraints in preparing replies to the questions. Refuges for women who were victims of violence and their children existed in all Health Board regions and received considerable government funds.

131. On the subject of the influence of religious bodies on life in Ireland, the representative stated that the Constitution expressly provided that the State would not give preferential status to any religious denomination and, accordingly, there was no State Church. In Ireland, the level of religious practice among members of all denominations was fairly high but, although religious leaders were free to express their opinion on issues of current concern, decisions on legislation were a matter for the determination of members of parliament only.