

# Presentation to the European Commission against Racism and Intolerance Working Group

March 2026

LGBT Restorative Justice Campaign  
[www.lgbtdisregard.ie](http://www.lgbtdisregard.ie)



Source: [www.lgbtdisregard.ie](http://www.lgbtdisregard.ie) or [www.justice.ie](http://www.justice.ie)

# Background

- The criminalisation of gay men and juveniles represents one of the most serious human rights violations carried out by the Irish State.
- The Dáil and Seanad issued a formal apology in 2018, acknowledging both the convictions and the wider damage caused.
- The 2023 Disregard Legislation Working Group Report adopted an international human rights framework, including:
  - UN General Assembly Resolution 60/147.
  - The aim is to ensure that **as many victims as possible** are encompassed within a Disregard scheme.



Dáil Éireann

# Impact of Policing

- Garda focus on public and semi public spaces.
- Cases of Garda **entrapment** of gay men.
- With cases of **working class men were disproportionately affected.**
- Research by Dr Averill Earls.
- Juveniles aged **15 and 16 who were convicted** should be eligible for Disregard.
- Discriminatory policing also occurred through the use of public order laws such as **vagrancy.**



## Disregard and Redress

Restorative Justice for people impacted by Ireland's anti-gay laws

November 2022

# International Context and Legislation

- Spain, Germany, England, Scotland, Canada, New Zealand, Australia:
- Pro bono survey of Disregard Legislation by Clifford Chance for Gay Project Cork
- 2023 Disregard Bill by Barristers Céile and Cillian Bracken pro bono
- Tribute to Michael Farrell long-time Civil Rights activist and former ECRI member

AND WHEREAS the process by which such convictions are disregarded shall be non-adversarial, trauma informed and situated within a framework of human rights, equality and restorative justice;



AN BILLE UM NEAMHAIRD A THABHAIRT AR CHIONTA STAIRIÚLA I DTAOBH  
GNÍOMHAÍOCHT GHNÉASACH CHOMHTHOILIÚIL IDIR FIR, 2025  
DISREGARD OF HISTORIC OFFENCES FOR CONSENSUAL SEXUAL ACTIVITY  
BETWEEN MEN BILL 2025

## Bill

*entitled*

An Act to make provision for a process for the disregard of certain historic criminal convictions arising from consensual sexual activity between men; to amend the Irish Human Rights and Equality Commission Act 2014; and to provide for related matters.

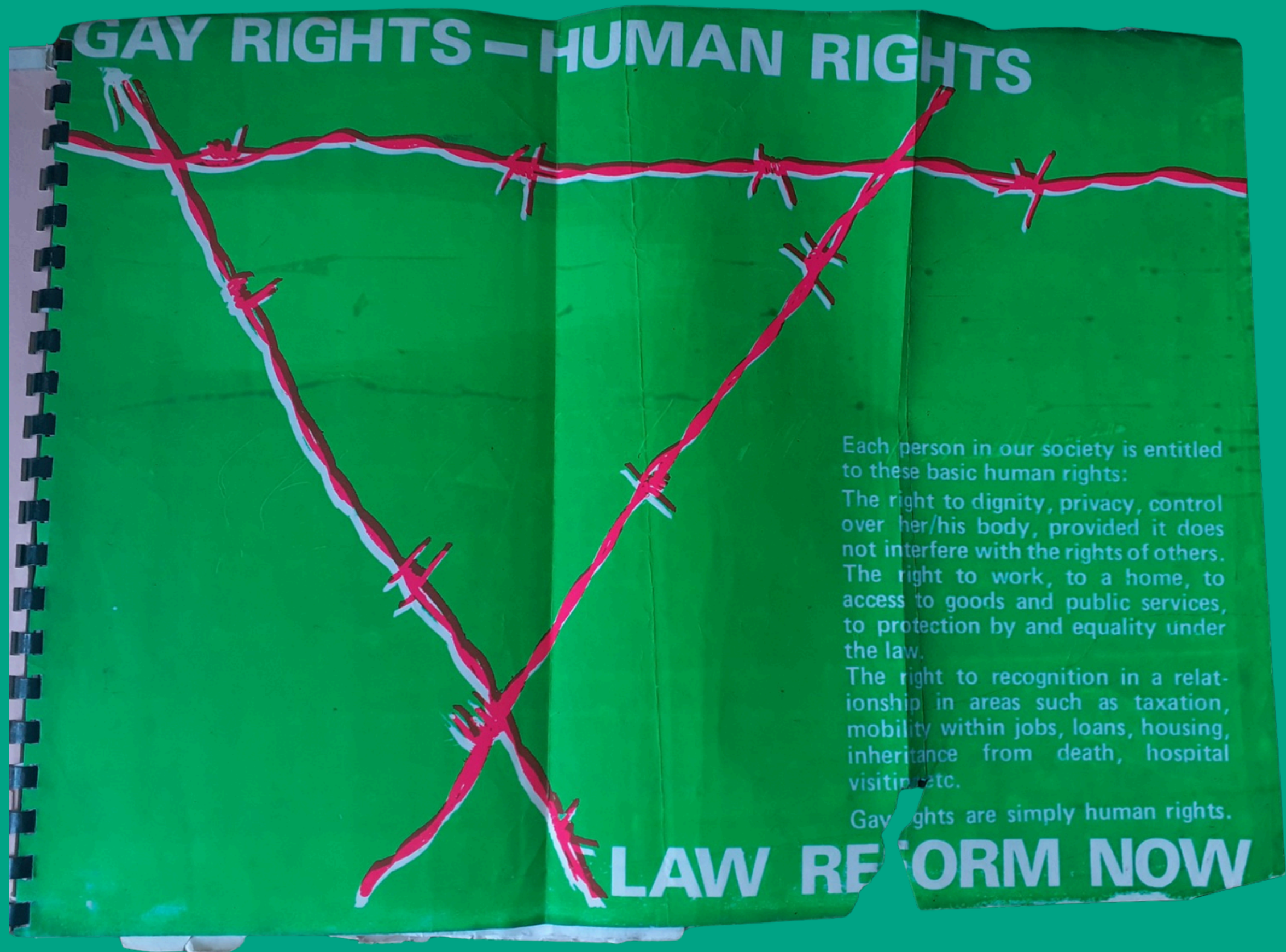
WHEREAS in light of the damage that the discriminatory criminalisation of consensual same sex activity between men had on the lives of those convicted of such offences, as well as on the lives of their partners, families, friends and communities;

AND WHEREAS the continuing impact of this historic criminalisation and the existence of extant historic convictions for such offences is an ongoing affront to the dignity, privacy, autonomy and equality of those convicted;

AND WHEREAS as a consequence it is necessary to put in place a process that such convictions be disregarded in a manner that respects and vindicates the memory and dignity of those affected;

AND WHEREAS the process by which such convictions are disregarded shall be non-adversarial, trauma informed and situated within a framework of human rights, equality and restorative justice; it is declared and recognised that all those, whether applicants or otherwise, who were prosecuted or convicted of offences arising from consensual same-sex sexual activity between persons of full capacity are entitled to and hereby receive an apology and an acknowledgement that maintaining such offences was, on the part of the State, improperly discriminatory and contrary to human dignity and that it infringed human rights including in particular the right to personal privacy and autonomy.

Be it enacted by the Oireachtas as follows:



**Kieran Rose, Karl Hayden, Brian Sheehan**

**LGBT Restorative Justice Campaign**  
[www.lgbtdisregard.ie](http://www.lgbtdisregard.ie)

*Gay Pride poster 1981  
National Gay Federation Ireland  
Design by Declan Buckley*