

THE WORKPLACE RELATIONS COMMISSION
COMPLAINT UNDER THE EQUAL STATUS ACT 2000 AS AMENDED

COMPLAINT REF: ADJ-00033467

Between:

JOHN HAMILL

COMPLAINANT

-AND-

DUBLIN CITY COUNCIL

RESPONDENT

PRELIMINARY SUBMISSIONS ON BEHALF OF THE RESPONDENT

I. Introduction

1. The within submissions are furnished in response of the claim of the Complainant under the Equal Status Act 2000, as amended, ('ESA') as lodged with the Workplace Relations Commission on 19 May 2021 alleging discrimination on grounds of religion. Although the claim is lodged against Ms Hazel Chu, then Lord Mayor of Dublin, the Respondent accepts it is the correct respondent to the claim (without prejudice to its position that the complaint of discrimination on grounds of religion is misconceived and not well founded).

II. Factual background

2. The Lord Mayor permitted a week long event organised by the Dublin City Interfaith Forum ('DCIF') known as 'Rewind 2020' from 8-14 December 2020-consisting of events for minority faiths (daily at lunch time for certain minority faiths)-to take place in the Lord Mayor's garden. This agreement was arranged on 26 November 2020.

3. On 10 December 2020, the Complainant (in his capacity as representative as Church of the Flying Spaghetti Monster) was a signatory to a letter issued in the name of Dublin City Inter-Non-Faith-Forum ('DCINFF') entitled celebrations of missed festivals. This was received by the Lord Mayors office on 14 December 2020. A copy of this letter and attached charter is attached at **appendix one**.
4. The correspondence stated that the DCINFF had been formed with the Church of the Flying Spaghetti Monster in Ireland and the Church of Naturalism in Ireland as non religious groups and a Charter was attached.
5. It requested that identical arrangements be put in place in the Lord Mayor's Garden to those of Rewind 2020 events-in place with the Dublin City Interfaith Group (DCIF) in order to celebrate non religious celebrations.
6. There was no response to this correspondence as it was sent in the busy run up period to Christmas 2020.
7. On 29 December 2020, the Complainant sent further correspondence in the name of the Dublin City Inter-Non-Faith Forum (with a third member being the Alliance of Former Muslims). As this was sent to the Lord Mayor's private residence, and no staff were present, it has not been located.
8. By ES1 form dated 15 January 2021, received on 18 January 2021, the Complainant alleged discrimination on grounds of religious belief as follows:
 - a. The office of the Lord Mayor responded immediately to requests from the Dublin City Interfaith Forum (DCIF) for 'Rewind 2020' events with religious groups, which the same Office ignored similar requests for similar events with non-religious groups "*like mine*".
 - b. The Lord Mayor arranged for access to the Mansion House grounds for religious groups, while neglecting to arrange similar access for any non-religious groups "*like mine*". The Lord Mayor attended events with religious groups while neglecting to attend any events with non-religious groups "*like mine*".
 - c. The Lord Mayor reviewed a press release from religious groups and provided a comment into that press release supporting those religious groups, which neglecting to offer such support for any non-religious groups "*like mine*".
 - d. The Lord Mayor reviewed a press release from religious groups and provided a comment into that press release supporting those religious groups, while neglecting to offer such support for any non-religious groups "*like mine*".
 - e. The Lord Mayor arranged for the Dublin City Council logo to appear on a poster created by religious groups while neglecting to provide similar support to non-religious groups "*like mine*".

- f. The Office of the Lord Mayor provided for scheduling assistance, arranged for the purchase of flowers, and instructed staff to provide furniture for religious groups, while offering no such support to non religious groups *"like mine"*.
- g. The Lord Mayor issued a press release about "Rewind 2020" and listed the religious groups that she was supporting, while declining to support any non-religious groups *"like mine"*.

A copy of same is attached at **appendix two**.

- 9. By ES2 form dated 15 February 2021, the Respondent replied as follows:
 - a. The reason for the non reply was explained-being the busy Christmas period-and the non location of the 29 December 2020 letter;
 - b. The use of Mansion House and Garden is a decision for the Lord Mayor each year and a different focus arises each year. The Lord Mayor met with the Dublin City Interfaith Group on 18 November 2020 and was asked about holding events to mark the religious celebrations and festivals missed due to the public health crisis. This was agreed to by the Lord Mayor and the Garden of the Mansion House was used to hold these events which was part of the Mansion House Christmas events.
 - c. It would not have been possible to deal with the request given the time of year received (and after the request from the DCIF) and no further events were planned for 2021 due to the public health pandemic and applicable public health guidelines.
 - d. The use of the Lord Mayor's Garden and Mansion House is a decision at the discretion for each Lord Mayor as it is a private residence

A copy of same is attached at **appendix three**.

- 10. Subsequent correspondence issued from the DCINFF dated 16 February 2021-seeking a date during March 2021 for an event for non religious groups and requesting a charity to which a donation would be made from the Dublin City Inter-Non-Faith Forum as part of "our planned Rewind 2020 ceremony". A copy of same is attached at **appendix four**.

- 11. A response was issued from the Respondent on 4 March 2021 as follows:
 - a. No events were planned at that time due to government guidelines due to the Covid-19 pandemic;

- b. All groups and communities are welcome to make an application for the use of the Mansion House and Lord Mayor's Garden or to send an invitation to the Lord Mayor to attend an event-be charitable, cultural, recreational or otherwise/
- c. No requirement for a donation arises as a pre-requisite for the use of the Mansion House or Lord Mayor's garden.

A copy of same is attached at **appendix five**.

- 12. Subsequent correspondence was received with the Complainant as a signatory on behalf of -again in the name of the DCINFF -on 8 March 2021 requesting access to the Lord Mayor's Garden for "our Rewind 2020" events, on exactly the same basis as those facilitated to the Dublin City Inter Faith Forum. A copy of same is attached at **appendix six**.
- 13. The Lord Mayor issued a response on 23 March 2021 stating that due to Covid 19 restrictions, it was not possible to consider any requests for events at the Mansion House or Lord Mayor's garden. A copy of same is attached at **appendix seven**.
- 14. A subsequent request was made by the DCINFF to use the Lord Mayor's garden on 1 June 2021 and on 29 April 2021 the Lord Mayor responded to state that no requests were being considered at that time. A copy of same is attached at **appendix eight**.
- 15. The complaint form in the name of the Complainant was received by the WRC on 19 May 2021 and is attached at **appendix nine**.

III. Legal submissions

Treatment not of the complainant as an individual

- 16. The complaint falls outside the scope of the ESA because it concerns alleged discriminatory conduct against an organisation (DCINFF), rather than an individual.
- 17. Section 21(1) of the Equal Status Acts provides: "*A person who claims that prohibited conduct has been directed against him or her may, subject to this section, seek redress...*"
- 18. S. 2 of the ESA provides that the definition of person "as that term is used in or in relation to any provision of this Act that prohibits that person from discriminating or from committing any other act or that requires a person to comply with a provision of this Act or regulations made under it, includes an organisation, public body or other entity". Therefore only entities or public organisations can be respondents to discriminatory behaviour.

19. In ***Gloria v Cork International Choral Festival*** (DEC-S2008-078), the Equality Officer found that “*the clear intention of the legislature is to protect individual persons as opposed to bodies or organisations from discrimination*” and noted only natural persons can have characteristics such as gender, marital status etc. which are established as possible grounds of discrimination under the Acts. Therefore, complainants under the Equal Status Acts can only be made by individuals. This finding was applied in ***Cork Deaf Club v Office of Public Works*** (DEC-S2017-039).
20. In ***Worker v Health Services Provider*** (ADJ-00005333), the Respondent argued that although the complaint was made under the complainant’s own name as an individual, the Complaint form and the ES.1 form submitted by the Complainant demonstrated that the complaint was really directed at the Respondent’s dealings with the complaint’s company. Following the approach taken in the previously mentioned decision, he held he did not have jurisdiction to consider the complaint because the complainant did not have standing to make a complaint under the Equal Status Acts. The same determination was reached in similar circumstances in ***Yuriy Tykhovod T/A Prospera Ltd. v FBD Insurance PLC*** (ADJ-00031425).
21. Therefore it is clear that as a complaint can only be made under the ESA where the conduct complained of is directed against the complainant as an individual and that the fact that the complaint is made in the name of individual, as was done here, will not suffice where the substantive complaint is about conduct directed an organisation.
22. Moreover, applying the reasoning followed in the above determinations to the definition of discrimination in section 3(1)(a) of the ESA as occurring “*where a person is treated less favourably than another person...*”, the fact that the complainant seeks to compare the treatment he complains of to allegedly more favourable treatment of an organisation-DCIF (rather than an individual is equally problematic) not being a person or a suitable comparator as per s. .
23. In this matter, while the named complainant is an individual, the substance of the complaint concerns the Respondent’s dealings with the organisation of DCINFF as a group-including in respect of two and then two, three organisations.
24. This can firstly be seen in the letter of 10 December 2020. This letter was on headed “Dublin City Inter-Non-Faith Forum” letter paper and the return address was “care of” Mr John Hammill’s address, both facts from which it can be inferred that the letter is sent on behalf of an organisation rather than from Mr Hamill as a private individual.

Furthermore, the signatories, Mr Martin Boers and Mr John Hamill, are identified as representing two other organisations (the Church of Naturalism and the Church of the Flying Spaghetti Monster respectively), which are described as the inaugural members of the DCINFF. This indicates not only that the letter is from an organisation (DCINFF), but suggests also that DCINFF is an umbrella organisation or coalition of other organisations.

25. Secondly, the Form ES.1 submitted on 31 December 2021, submitted by Mr Hamill, contains the following statements:

- *"I was a signatory to a letter from the Dublin City Inter-Non Faith Forum to the Lord Mayor of Dublin".*
- *"Our group of non-religious organisations in Dublin had noticed the Rewind 2020 events advertised..."*
- *"We provided a copy of our Charter..."*

26. These phrases indicate that the complaint is framed from the standpoint of DCINFF as an organisation. Indeed the ES1 form refers to alleged discrimination against non religious organisations *"like mine"* clearly showing that any discrimination is in the context of the DCINFF and not an individual. (In *Worker v Health Services Provider* (ADJ-00005333), the phrasing of the ES.1 form was taken into account in determining that the complaint was really about the treatment of the nominal complainant's company rather than of him as an individual).

27. At section 4 of the ES.1 form, the complainant stated *"I believe that the Lord Mayor has treated me less favourably because others have religious beliefs and I have none."* However, the complainant has not explained why the Respondent's actions should be inferred to have anything to do with his personal beliefs when the letter and the Charter attached to it clearly set out the position, stances and aims of an organisation (DCINFF). Furthermore, in light of the complaint's previous claim that the respondent had discriminated against him on the grounds of what he claimed were a set of religious beliefs (in *Hamill v Dublin City Council* ADJ-00011817, discussed below), it is somewhat surprising, therefore, that he now claims that the respondent could have known or inferred that he now considers himself to have no religious belief.

Complaint should be dismissed as complainant's belief already been held not to meet definition of religious belief or lack of religious belief under section 3(2)(e) ESA

28. It is submitted that this complaint should be dismissed pursuant to section 22 ESA, which allows for a claim to be dismissed, *inter alia*, where it is “*frivolous, vexatious or misconceived*”. This would be an appropriate action in this matter because an Adjudication Officer has already determined that Mr Hamill's belief as regards the “Church of the Flying Spaghetti Monster” are not capable of coming with the ground of discrimination of religious belief or absence thereof as provided for in section 3(2)(e) in ***Hamill v Dublin City Council*** ADJ-00011817. In this case, Mr Hamill alleged discrimination on grounds of religious belief in the context of the alleged failure of Dublin City Council to include his alleged religion in the Interfaith Charter on the side of the Civic Offices. This was unsuccessful.
29. By way of background, it is noted that Mr Hamill had previously made a complaint to the WRC against Dublin City Council on the grounds that he is an ordained minister in the “Congregationalist Church of the Flying Spaghetti Monster” and that he had been discriminated against on the grounds of his religion; at that time he presented what was described as the “Articles” of this church and outlined its beliefs and practices in detail, including who would or would not be allowed to join. However, the Adjudication Officer concluded that the complainant did not fall within the scope of section 3(2)(e) of the ESA because the complainant's position did not amount to a religious belief or a lack of religious belief.
30. It is submitted that the ESA provides that a decision of an Adjudication Officer in a complaint under this legislation can be appealed to the Circuit Court within 42 days of the decision; no further appeal lies other than to the High Court on a point of law (section 28). Having chosen not to pursue either of these routes, the complaint cannot now make another complaint which depends upon a re-statement of a claim which was considered in full and was been rejected, i.e. that his beliefs are included under section 3(2)(e).
31. The claim of the Complainant is frivolous and misconceived as follows:
- a. It amounts to the same issue litigated previously-where the Complainant alleged discrimination on grounds of religious beliefs and the alleged favouring of mainstream beliefs by the Respondent
 - b. The circumstances in which the DCINFF became operative are questionable-and its Charter lacks cogency or any meaning. They also must be seen in the context of the unsuccessful claim by Mr Hamill on the same issue in the past: his organisation's exclusion from a religious event involving the DCIF.
 - c. The within proceedings are effectively an abuse of process as the Complainant seeks to litigate the proceedings where the proper complainant is the DCINFF which is not a proper party or entity who can bring such proceedings.

d. The proceedings cannot bring about any result as the event cannot place;

32. In this regard, reliance is placed on the recent decision of the WRC in **Savage v A Councillor** ADJ-00031236 where the phrase frivolous or vexatious was considered as follows:

The meaning of the words "frivolous or vexatious" as used in the context of s.10(1)(b)(ii) of the Data Protection Act 1988 as amended was considered by Birmingham J in Nowak v Data Protection Commissioner, 28 where he stated that "[f]rivolous, in this context does not mean only foolish or silly, but rather a complaint that was futile, or misconceived or hopeless in the sense that it was incapable of achieving the desired outcome." This description was referred to by Irvine J in her judgment in the Court of Appeal in Fox v McDonald, 29 where she stated that "the word 'frivolous' when used in the context of O. 19 r, 28 is usually deployed to describe proceedings which the court feels compelled to terminate because their continued existence cannot be justified having regard to the relevant circumstance." She added as follows:

Proceedings which are regularly struck out as "frivolous" or "vexatious" are proceedings clearly destined to cause irrevocable damage to a defendant, such as where a defendant is asked to defend the same claim for a second time or where a plaintiff seeks to avail of the scarce resources of the courts to hear a claim which has no prospect of success.

33. It is therefore submitted that this is an appropriate case in which to apply section 22 to dismiss the complaint.

Scope of the Equal Status Act: "providing a service"

34. Firstly, it is submitted that the matters raised by the Complainant do not fall within the remit of the ESA as amended and thus the WRC has no basis for considering the complaint.

35. Section 5 of the ESA provides:

A person shall not discriminate in disposing of goods to the public generally or a section of the public or in providing a service, whether the disposal or provision is for consideration or otherwise and whether the service provided can be availed of only by a section of the public.

36. Section 1 of the Act defines "service" as "a service or facility of any nature which is available to the public generally or a section of the public ..." and goes on to provide some specific examples of services which fall within this definition.

37. It is submitted that informal events in the Lord Mayor's garden such as that in issue here do not amount to a "service" provided to the public or a section of the public. They are organised at the discretion of the Lord Mayor of the day, who is free to decide which civil society groups, organisations, and causes, and indeed which individuals, to invite, in much the same way that TDs and Senators are entitled to choose which groups and individuals to meet with or host, including in official, State-funded facilities provided for their use such as the Dáil bar or their Oireachtas offices.
38. It is noted that Dublin City Council is a local authority to which councillors are directly elected as representatives of their local community. Such local authorities have a direct constitutional foundation. The Local Government Act 2001 as amended provides a statutory basis for the operation of local authorities such as Dublin City Council and lays out the legal obligations of these bodies.
39. The 2001 Act provides that the councillors of each local authority shall elect one of their number to act as a chairperson, known as the Cathaoirleach (see section 31, 36(1)). In the case of Dublin City Council, the Act specifically provides that the holder of this office may use the title "Lord Mayor of the City of Dublin" (section 32(3)(b)).
40. The Mansion House is owned by Dublin City Council and is provided to the Lord Mayor of the City of Dublin as an official residence. Some areas, such as the Round Room, are made available to the general public to book for conferences and events, and it is submitted that applications or enquiries regarding events in such spaces would indeed fall within the scope of the Equal Status Act.
41. However, this can be clearly distinguished from what is in issue in this case, which is about a decision well within the discretion of the Lord Mayor of the day regarding her political role and priorities and her use of the private residence which is provided to her while in office.
42. It is noted that it would be utterly unworkable, not to mention a serious interference with the personal rights of the Lord Mayor - who lives in the Mansion House during her term of office - if every meeting or interaction that took place there were to be subject to review under the ESA.

43. It is further submitted that as an elected political representative, after fulfilling the legal obligations of her office under the Local Government Act as amended and other legislation and regulations, the Lord Mayor is directly accountable to both voters and fellow councillors as regard how she chooses to spend her time, the causes she wishes to support, and so on. It is clearly not the intention of the Oireachtas in the framing of the ESA to make every decision of elected representatives in choosing which constituents to meet with subject to scrutiny by the WRC. In this area, the accountability of public representatives to those whom they represent is promoted at the ballot box, not by adjudicators.

44. Therefore, it is submitted that there is no jurisdiction to consider the substantive complaint as it falls outside the scope of the ESA.

Definition of discrimination

45. Furthermore, or in the alternative, it is submitted that the matters complained of do not fall within the definition of discrimination as provided by the Equal Status Acts. Section 3(1) of the Act provides that discrimination shall be taken to occur

“(a) where a person is treated less favourably than another person is, has been or would be treated in a comparable situation on any of the grounds specified in subsection (2) or, if appropriate, subsection (3B)... (which—

(i) exists,

(ii) existed but no longer exists,

(iii) may exist in the future, or

(iv) is imputed to the person concerned,

... or...

(c) where an apparently neutral provision would put a person referred to in any paragraph of section 3(2) at a particular disadvantage compared with other persons, unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.”

46. The claimant alleges that he was discriminated against on the ground of religion. Section 3(2)(e) of the Act defines this ground of discrimination as follows:

“(e) that one has a different religious belief from the other, or that one has a religious belief and the other has not (the “religion ground”)”

47. Section 2(1) of the Act further provides:

““Religious belief” includes religious background or outlook.”

48. In addition it is clear that the burden of proof which the Complainant must meet, pursuant to section 38A of the Equal Status Acts 2000-2015 (referred to as the Acts) is to demonstrate *“facts are established by or on behalf of a person from which it may be presumed that prohibited conduct has occurred in relation to him or her”*.

49. It is submitted that the definition of discrimination does not apply to the matters raised by the Complainant because his position was not comparable to that of those he claims received more favourable treatment than him; or, putting it another way, the difference in treatment arose from factors other than a difference in religious belief between the complaint and those to whom he seeks to compare himself.

50. The “Dublin City Inter-Non-Faith Forum” (DCINFF) is not directly comparable to the Dublin City Interfaith Forum (DCIF), for a number of reasons. To compare DCINFF to DCIF is not comparing like with like. DCIF has existed for over a decade and has been active in organising and promoting events across Dublin throughout that period. It has a regularly updated website, Facebook and Twitter account. It is a registered charity (No. 20202705) and employs a full-time staff member. Twenty-one members are profiled on DCIF’s website.

51. In contrast, there is a degree of artificiality to DCINFF and its existence appears to revolve almost entirely around the matters complained of in this case. The complaint has not provided details of any event organised by the group or indeed any activity other than that concerned in this complaint. The only evidence of its activity online is a Twitter account which appears to have been set up on 11 December 2020 (i.e., the day after the first letter was sent to the respondent.)¹

52. Furthermore, the DCINFF Charter is clearly directly modelled on DCIF’s. The DCIF Charter’s opening statement is: *“We, as representatives of our respective faiths,*

¹ <https://twitter.com/dubnofaithforum>

communities and organisations members of Dublin City Interfaith Forum, commit to the following aims..." and the opening statement of DCINFF reads: "We, as representatives of our respective non-faith groups, including our Dublin-based adherents, and as members of the Dublin City Inter-Non-Faith Forum, commit to the following aims...". The remainder of DCIF's Charter describes the aims to which the members commit; its format and phrasing is has been directly copied into the DCIFF Charter ("*To commit to ... To dedicate... To promote... To share....To encourage...To focus ... To develop... To create....*" (DCIF Charter) versus "*We commit... We dedicate...We promote...We share...We encourage ... We focus...We develop...We create...*" (DCINFF Charter).

53. However, despite the superficial similarities to the DCIF's Charter, the substantive aims and purposes which the DCINFF outlines in its Charter demonstrate that it is essentially a political group. Five of the eight aims in its Charter specifically refer to the organisation's views as to how public bodies should act, and a sixth states "*we encourage public representatives to make non-faith based and evidence based decision, instead of relying on faith, on authority, on divine intervention or the supernatural*". In contrast, none of the DCIF's charter's eight aims refer to public bodies or public representatives. Rather, its aims are framed as personal commitments made by the communities and individuals which take part, such as "*To commit to, and freely practice, our religious beliefs, customs and practices and accept the freedom of others to do likewise,*" "*To dedicate ourselves to the values of peace, justice, solidarity and defence of the dignity of each human being ...*" "*To promote dialogue between the different communities of belief co-existing in our city*" "*To share our experiences, and strengthen our collaboration and partnership*". It is submitted that the difference in focus between the two groups – for example, the more explicitly political stances of the DCINFF, or the specific commitment of the DCIF to inter-community dialogue – provide a more than adequate basis for distinguishing between the two groups.

54. In elaborating upon the allegation of less favourable treatment on the ground of his lack of religious belief, the complainant stated "*The Office of the Lord Mayor responded immediately to requests from the Dublin City Interfaith Forum for "Rewind 2020" events with religious groups, while the same Office ignored similar requests for similar events with non-religious groups like mine*". However, there were several highly relevant differences between the request from DCIF and the contents of the letter sent by DCNIFF.

55. Firstly, it is noted that its email of 26 November the DCIF made a specific, detailed proposal for an event, suggesting the name "Rewind 2020", and a format of several very small, brief "mini-celebrations", outdoors, with only around 15-20 attendees, taking place over the course of a week. In light of the very strict regulations then in place regarding gatherings and social distancing, this would be the only practical way of allowing each of the religions represented in DCIF to take part in the event. As an interfaith forum which seeks to promote co-operation and greater understanding between members of different religions, it is obvious that one of DCIF's priorities would be allowing each of its member organisations an opportunity to take part in such an event. It would therefore be more accurate to say that DCIF made a single request for a single event, which was split up over a series of days for reasons of practicality.
56. Secondly, it was not reasonable or realistic for the complainant to seek, as he did in his letter of 10 December 2020, that "*identical arrangements should be made in the Lord Mayor's garden to those for Rewind 2020, in order to facilitate non-religious celebrations*". The Dublin City Interfaith Forum is an established organisation in which representatives of seven major religions participate (namely, Christianity, Judaism, Islam, Baha'i, Hinduism, Sikhism and Buddhism), with participation from a number of different denominations and organisations of each religion. Each of these participating groups celebrate various holy days / festivals on particular days during the year, which involve set rituals and observances specific to that celebration.
57. During 2020, for reasons of public health, very strict legal restrictions were imposed on all public gatherings, with no exceptions made for religious gatherings. This was a very significant limitation and hardship on religious communities which must be acknowledged in light of Article 44 of the Constitution's explicit statement that the State shall "respect and honour religion" and that its guarantee that "freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen". Furthermore, while some activities which were curtailed by public health legislation could make use of the Internet or other communications technology to continue their activities (e.g., having a panel discussion on Zoom or watching a livestream of a concert), many specific rituals which are vital to the practice of religion could not take place at all without in-person gatherings. Moreover, while events such as political meetings or discussion groups are generally not tied to specific days or times, many religious festivals occur on set days in the year which are of great significance to believers.

58. This important context to the “Rewind 2020” event means that it was simply not reasonable for DCINFF to ask for “identical” events to celebrate “non-religious celebrations”, because the “Rewind 2020” event was in fact motivated by a challenge which was specifically faced by religious communities.

59. Furthermore, the DCINFF’s letter did not explain what “non-religious celebrations” would look like, what would take place at such celebrations, or what would be celebrated. The DCIF had explained in its email of 26 November 2020 what would take place at the its proposed events (*“a prayer/reading/reflection from scripture and an explanation of the event; a piece of music or traditional singing and a story told by children to signify the event”*), and the respondent was familiar with the DCIF as the organizer and the aware of the seven religions who were represented in its events. The DCINFF did not explain what the non-religious equivalent to these ceremonies would be. Again, there is no need to infer a discriminatory motive for a difference in treatment when – like any politician - the Lord Mayor (or her office on her behalf) is more likely to attend and/or facilitate an event where someone else has already put in the planning and organising work.

IV. Conclusions:

60. It is submitted that this complaint should be dismissed as misconceived under section 28 of the Equal Status Acts as amended (hereinafter “the ESA”) because the complainant relies on assertions which have already been considered in full and rejected by an Adjudication Officer in *Hamill v Dublin City Council* (ADJ-00011817).

61. Furthermore, or in the alternative, it is submitted that this matter falls outside the scope of the ESA because it does not relate to a service which is provided to the public or a section of the public.

62. Furthermore, or in the alternative, it is submitted that the complainant does not have standing to make a complaint under the ESA because the treatment of which he complains did not relate to him as an individual, but rather to an organisation (the Dublin City Inter-Non-Faith Forum, hereinafter “DCINFF”). The comparator to whom he seeks to compare himself (the Dublin City Interfaith Forum, hereinafter “DCIF”) is also an organisation rather than an individual.

63. Furthermore, or in the alternative, it is submitted that the complainant has not provided evidence to establish facts from which it may be presumed that discrimination occurred and thus has failed to shift the burden of proof to the respondent.

64. Furthermore, or in the alternative, it is submitted that any difference in treatment by the respondent is fully explained by reasons other than the ground of alleged discrimination and thus any inference of a discriminatory is rebutted.

Dated this 24th day of October 2022

Claire Bruton BL

Instructed by Law Department

Dublin City Council

Civic Offices

Wood Quay

Dublin 8

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

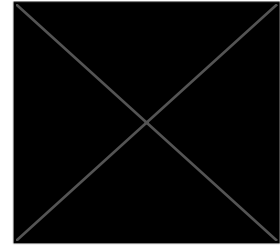
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DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 1

DUBLIN CITY INTER-NON-FAITH FORUM



10th December 2020

Attn: Lord Mayor of Dublin
Mansion House,
Dawson Street,
Dublin 2,
D02 AF30,
Ireland.

Re: Celebration of Missed Festivals

Dear Ms Chu,

We the undersigned would like to congratulate you on arranging the Rewind 2020 gatherings. We join you in welcoming *"a forum where everyone could celebrate Christmas as much as possible ... and at the same time all the other faiths"*. This is indeed a worthy initiative that reflects very well on your office.

Moreover, we would also like to inform you that we have formed the *"Dublin City Inter-Non-Faith Forum"*. As the inaugural members, both the Church of the Flying Spaghetti Monster in Ireland and the Church of Naturalism in Ireland are non-religious groups, who anticipate welcoming other non-religious groups into our forum in the near future. I have attached our Charter, which all members of the DCINF Forum will sign.

We would like to formally request that identical arrangements should be made in the Lord Mayor's Garden to those for Rewind 2020, in order to facilitate non-religious celebrations. As I'm sure you understand, the non-religious in Dublin have been subject to the same restrictions as those that the religious have endured. The members of our non-religious forum are just as committed to our celebrations and events as religious groups are.

Consistent with the Equal Status Act, I'm sure you would not countenance any less favourable treatment of non-religious Dubliners, as compared with religious Dubliners. As such, we will look forward to hearing from you shortly with regard to the arrangements for some non-religious events, on mutually convenient dates.

A handwritten signature in black ink, appearing to read "M Boers".

Martin Boers, Church of Naturalism

A handwritten signature in black ink, appearing to read "John Hamill".

John Hamill, Church of the Flying Spaghetti Monster

DUBLIN CITY INTER-NON-FAITH FORUM CHARTER

We, as representatives of our respective non-faith groups including our Dublin-based adherents, and as members of the Dublin City Inter-Non-Faith Forum, commit to the following aims:

- We commit to supporting the human right to the freedom of religion and belief, including the freedom from religion and the freedom to practice our non-faith beliefs during gatherings of our adherents.
- We dedicate ourselves to opposing religious discrimination, including discrimination against both religious minorities and the non-religious.
- We promote the formation of secular public policy, which does not display a preference for either religion or atheism, but instead remains neutral.
- We share an opposition to the promotion of atheism by public bodies, to exactly the same degree as we oppose the promotion of religious faith by public bodies.
- We encourage public representatives to make non-faith based and evidence based decisions, instead of relying on faith, on authority, on divine intervention or on the supernatural.
- We focus on allowing young people to enjoy the human right to the freedom of thought, without religious indoctrination by public bodies.
- We develop an appreciation that public bodies should serve those of all faiths and none with equality, without privileging either the religious or the non-religious.
- We create conditions whereby both religious and non-religious Dubliners, can feel equally valued and respected by public bodies.

Having committed to this charter, the we will continue to insist on the need for secular public bodies to serve a pluralist population, since only neutral public bodies can equally serve the interests of Dubliners from all faiths and none.

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

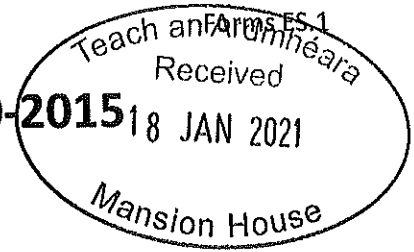
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DUBLIN CITY COUNCIL

RESPONDENT

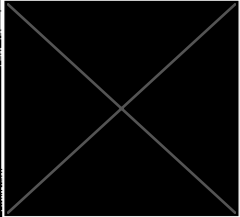
APPENDIX 2

The Equal Status Acts, 2000-2015 NOTIFICATION



IMPORTANT: This document warns of a possible legal claim. Please read it, and the attached Notes, carefully. The Notes explain what this document is about, explain some of the terms used, and set out the legal requirements this Notification must follow.

From: (name and address of the "complainant", the person who thinks they have been discriminated against or otherwise unlawfully treated)

Name:	John Hamill
Address:	

To: (name and address of the "respondent", the person or organisation who the complainant thinks discriminated against them or treated them unlawfully)

Name:	Ms Hazel Chu
Address:	Mansion House Dawson Street Dublin 2 D02 AF30

1. I think that you have/may have treated me unlawfully by:
(please tick which box or boxes apply)

Discriminating against me,

- Harassing me, or allowing me to be harassed
- Sexually harassing me, or allowing me to be sexually harassed
- Failing to provide me with "reasonable accommodation" [see Notes: only for person with a disability]
- Victimising me (*see Notes*)

contrary to the Equal Status Acts, 2000 – 2015.

2. I think that you did so on the following ground(s):

(Please tick whichever box(es) apply)

- gender** (*male or female*)
- civil status** (*single, married, separated, divorced, widowed or in a civil partnership*)
- family status** (*pregnant; parent or acting parent of a child; parent or resident primary carer of a person with a disability who needs continuing care*); (*see Notes*)
- sexual orientation** (*heterosexual, homosexual or bisexual orientation*)
- religion** (*religious belief/background or lack of belief*)
- age** (*18 years of age or over*); (*see Notes*)
- disability** (*see Notes*)
- race** (*colour, nationality, ethnic or national origins*)
- membership of the Traveller community**
- victimisation** (*see Notes*)
- housing assistance** (*see Notes*)

3. Details of my complaint are as follows (*include details such as place, date and time when you say the respondent treated you unlawfully, and what you say led up to this treatment*):

Date: 31st December 2021

Time: N/A

Other details:

On 10th December 2020, I was a signatory to a letter from the Dublin City Inter Non-Faith Forum (DCINF Forum) to the Lord Mayor of Dublin. Our group of non-religious organisations in Dublin had noticed the “*Rewind 2020*” events advertised by the Lord Mayor. These events in the Mansion House were designed to facilitate religious groups in marking the celebrations that they had missed during the pandemic restrictions. Along with my colleagues in the DCINF Forum, I indicated that non-religious groups had also missed out on our own gatherings for the same reasons, and we requested that similar events could be arranged at the Mansion House for non-religious groups. In order to help facilitate this, we provided a copy of our Charter to indicate the type of topics that our proposed events might mention.

This correspondence was delivered by registered post on 14th December 2020. Unfortunately, it was ignored.

On 29th December 2020, I was a signatory on a subsequent letter from the DCINF Forum to the Lord Mayor of Dublin. This correspondence announced that a new non-religious organisation that had become a member of our group. We also proposed that the DCINF Forum would include a donation to a charity to be nominated by the Lord Mayor, as part of the events we were proposing. In addition, we indicated that we would still like to arrange

some events in the New Year, even if it was not possible to arrange events before Christmas.

This correspondence was delivered by registered post on 31st December 2020. Unfortunately, it was ignored.

4. I think that this involved me being treated less favourably than others (on the ground(s) mentioned above) in the following way:

(this section is not needed for harassment or sexual harassment cases)

I believe that the Lord Mayor has treated me less favourably than others because others have religious beliefs, whereas I have none. Specifically, I was treated less favourably in the provision of services by the Lord Mayor in the following ways:

1. The Office of the Lord Mayor responded immediately to requests from the Dublin City Interfaith Forum (DCIF) for *"Rewind 2020"* events with religious groups, while the same Office ignored similar requests for similar events with non-religious groups like mine. For example, the first time that the DCIF wrote an email to the Office of the Lord Mayor about arranging *"Rewind 2020"* religious events, they received a response describing that as *"a lovely idea"* within 30

minutes. In contrast, the DCINF Forum has been ignored for more than 30 days.

2. The Lord Mayor arranged for access to the Mansion House grounds for religious groups, while neglecting to arrange similar access for any non-religious groups like mine. The Lord Mayor attended events with religious groups while neglecting to attend any events with non-religious groups like mine.
3. The Lord Mayor reviewed a press release from religious groups and provided a comment into that press release supporting those religious groups, while neglecting to offer such support for any non-religious groups like mine.
4. The Lord Mayor arranged for the Dublin City Council logo to appear on a poster created by religious groups, while neglecting to provide similar support to non-religious groups like mine.
5. The Office of the Lord Mayor provided for scheduling assistance, arranged for the purchase of flowers, and instructed staff to provide furniture for religious groups, while offering no such support to non-religious groups like mine.

6. The Lord Mayor issued a press release about "*Rewind 2020*" and listed the religious groups that she was supporting, while declining to support any non-religious groups like mine. The Office of the Lord Mayor arranged for those same religious groups to be promoted through social media channels, while neglecting to support any non-religious groups in this way. The Lord Mayor included in her press release a comment from the DCIF, while neglecting to provide similar support to the members of the DCINF Forum, such as myself.

In general terms, when the DCIF requested support from the Lord Mayor, they were immediately provided with extensive public-funded support, including the facilitation of events at the Mansion House at which the Lord Mayor participated. In contrast, when the DCINF Forum requested equivalent support for equivalent events, we were studiously ignored. For these reasons and more, I believe that I have been treated less fairly than others, because I have no religious beliefs.

5. Please reply explaining why you treated me as you did. ↓

attach Form ES.2, which can be used to reply.

6. Request for other information:

(If the complainant is not using this section, please go directly to next page)

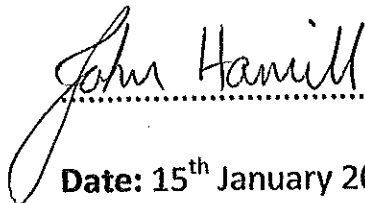
Please reply in writing to the following questions which are relevant to my case:

1. In the comment you provided for inclusion in the DCIF press release you stated that, *"I want to make sure we celebrate all faiths and communities"*. Does this include non-religious communities or is it limited only to religious communities?
2. Why have you treated the DCINF Forum so differently from the DCIF?
3. Why have you studiously ignored all correspondence from the DCINF Forum, while during the very same period of time, your Office was engaged in prolonged communications with the DCIF about the various publicly-funded supports you were arranging for the DCIF?
4. Why does DCIF correspondence receive immediate replies from your office with offers of extensive support, while equivalent DCINF Forum correspondence during exactly the same time period is totally ignored?
5. Will you ensure that your Office provides exactly the same publicly-funded supports, facilities and promotional services to the DCINF Forum as you have already provided to the DCIF? If not, why not?

7. Please note that I intend to seek redress under the Equal Status Acts 2000-2015. If I am not satisfied with the reply I receive, or if you fail to reply within a month after it was sent to you.

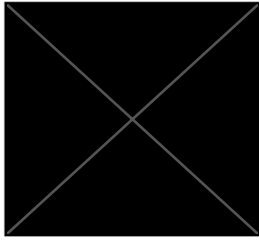
Please send your reply to me at the address written below.

Signature of Complainant (or their representative):


.....

Date: 15th January 2021

Contact Address:



NOTE TO THE PERSON RECEIVING THIS NOTIFICATION:

More information in relation to employment, equality and industrial relations legislation can be found on www.workplacerelations.ie or by telephoning the information line on 1890 80 80 90. You can also get the following information:

- A reply form ES.2
- Explanatory notes "Information on receiving a Form ES.1, or using Form ES.2"
- Procedures in the Investigation of Employment and Equality Complainants.

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

-v-

DUBLIN CITY COUNCIL

RESPONDENT

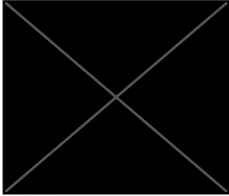
APPENDIX 3



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

An Roinn Dlí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8 DX 1019 Na Ceithre Cúirteanna
Law Department
Civic Offices, Wood Quay, Dublin 8 DX 1019 Four Courts
P:2223220 E:edel.bradley@dublincity.ie

Mr. John Hamill



15 February 2021

My Ref: EB/CED001/0199

Re: John Hamill
WRC – Equal Status Act

Dear Mr Hamill,

Please find enclosed Form ES2 –Reply to Notification received on the 18th January 2021.

Yours faithfully,

Yvonne C. Kelly
Acting Law Agent

When telephoning please ask for: **Edel Bradley**

Direct Dial No: 2223220

E-mail: edel.bradley@dublincity.ie

Encl

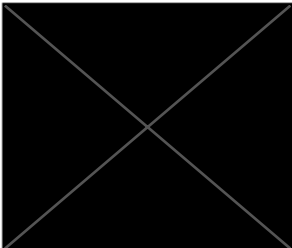
The Equal Status Acts 2000 - 2015
REPLY TO NOTIFICATION

IMPORTANT: Please read this form, and the attached Notes, carefully. The Notes explain what this document is about, and explain some of the terms used.

From: *(name and address of the "respondent", the person or organisation that has received a notification under the Equal Status Acts)*

Name:	Dublin City Council
Address:	Civic Offices, Wood Quay Dublin 8

To: *(name and address of the "complainant", the person who sent the notification)*

Name:	John Hamill
Address:	

I acknowledge receipt on the *(give date)*

18th January 2021 of your notification claiming that you were treated unlawfully under the Equal Status Acts.

I note that you say the unlawful treatment took place on the *(give date(s))* in December 2020.

A. The notification states what you say happened on that date/ those dates.

The following is what happened from my point of view:

Your letter of the 10th December 2020 was received by the Lord Mayor's office on the 14th December 2020. Due to an oversight given the extremely busy run up to the Christmas period your letter was not acknowledged which is regrettable and for which we apologise. Unfortunately, despite several searches your letter of the 29th December 2020 which you note was delivered on the 31st December 2020 has not been located. The Mansion House as the private resident of the Lord Mayor would not have had staff on site during this period.

The use of the Mansion House and Garden is a decision for the Lord Mayor of the day and every year there is a different focus on the use of both. The present Lord Mayor Hazel Chu has noted that one of the priorities of her term in office is integration. The Lord Mayor had a meeting with the Dublin City Interfaith Group on the 18th November 2020 where the Lord Mayor was asked about holding events to mark the celebrations and festivals missed due to the present public health crisis. The Lord Mayor agreed to the request and the Garden of the Mansion House was used to hold these events which then formed part of the Mansion House at Christmas series of events.

While noting that your correspondence was not acknowledged, it would also not have been possible to deal with any request given the time of year it was received and as no further events were planned for 2020. In this regard given the continuation of the public health crisis there will be an impact on any events in 2021 which will have to adhere to the guidelines.

B. My/our reasons for doing so were as follows:

The Lord Mayor Hazel Chu was asked by the Dublin City Interfaith Forum to assist and to work with them to hold these events and agreed to do so. It is a matter for the

Lord Mayor of the day to identify groups that they wish to work with during their term of office and this changes from year to year.

C: The following is my normal practice in such a situation:

Every Lord Mayor is supported by office staff. Once a Lord Mayor agrees to work with a group this is followed up by the staff of the Lord Mayor's office who deal with the strict protocols in place for attendance and the insurance cover required. The use of the Mansion House and the Mansion House Garden are at the discretion of the Lord Mayor of the day particularly as this is their private residence.

D: In reply to your request for information (Section 6 of Form ES.1):

(You can select answer D.1 or answer D.2, or you can use both:)

D.1: I am replying below to your question(s) number(s): 1- 5 *(please fill in numbers)*

D.1 This particular series of events was in conjunction with the Dublin City Interfaith Forum and the faiths who are members of this forum.

D.2 This particular series of events was agreed to by the Lord Mayor following a request from the Dublin City Interfaith Forum at a meeting on the 18th November 2020. The letter received from you dated the 10th December 2020 was after this date and in this letter you advised of your new forum.

D.3 Firstly, our sincere apologies that your letter of the 10th December 2020 advising of your new forum and enclosing a copy of your new charter was not acknowledged and secondly we acknowledge receipt of your letter and your charter. The correspondence with the Dublin City Interfaith Forum emanated from the agreement with the Lord Mayor in relation to the events that had been agreed.

D.4 The immediacy of correspondence with the Dublin City Interfaith Forum was in relation to the events that had been agreed and the correspondence that ensued was in relation to the organisation of same.

D.5 Events in the Mansion House are set up at the discretion and the agreement of the incumbent Lord Mayor as the Mansion House is their official residence. A Lord Mayor receives invitations and requests from many organisations and groups throughout their term in office and all are welcome to make an application. The Lord Mayor works to facilitate as many as possible and particularly those that may be part of their agenda during their term in office.

(Continue on separate sheet if needed)

D.2 I am not replying to any of your questions/ to question(s) number(s) ,,,,
(please strike out/complete as applicable)

My reasons for not replying are as follows: (optional)

(Continue on separate sheet if needed)

E : I wish to make the following additional comments: (optional)

--

F. (If you are using a representative, (solicitor, trade or business organisation, or other) please give their contact details below:)

Respondent's Representative

Name:	Dublin City Council
Address:	Civic Offices, Wood Quay Dublin 8
Phone number:	01 222000
Fax or email:	law@dublincity.ie

Signature of Respondent / Representative:

Dublin City Council
James Kelly

Date:

15th February 2021

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

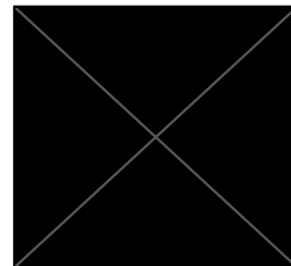
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DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 4

DUBLIN CITY INTER-NON-FAITH FORUM



16th February 2021

Attn: Lord Mayor of Dublin
Mansion House,
Dawson Street,
Dublin 2,
D02 AF30,
Ireland.

Re: Celebration of Missed Festivals

Dear Ms Chu,

We refer to your ES2 Form, dated 15th February 2021. Unfortunately, we must inform you that this correspondence is entirely unsatisfactory, as it fails to adequately address any of the questions that we had asked.

The only explanation offered for your discriminatory behaviour and the sectarian manner in which you have allocated the public resources under your control, is *"the extremely busy run up to the Christmas period"*. Of course, this does not explain in any way why your office was able to respond promptly to faith bodies managed by your Roman Catholic co-religionists during the same period. It seems that extremely busy periods only present problems for you when correspondence arrives from secular bodies, and no such difficulties apply to religious bodies during exactly the same period.

Moreover in our letter to you dated 10th December 2020, we clearly stated that *"we will look forward to hearing from you shortly with regard to the arrangements for some non-religious events, on mutually convenient dates"*. That is, if it was more convenient for you to arrange dates after *"the extremely busy run up to the Christmas period"*, then of course this would have been acceptable for us. However, you continued to ignore our correspondence for the first six weeks of 2021, until you received an ES1 Form that referred to the possibility of a legal claim. Consequently, your reliance on the pressures of *"the extremely busy run up to the Christmas period"* to explain your discriminatory behaviour, seem entirely pretextual. The content of your ES2 Form does not begin to explain the less favourable treatment of our non-faith group, as compared to the facilitation you offered to a faith-based group.

In fact, the content of your ES2 Form piles insult upon injury by referring to your priorities as including *"integration"*. The Dublin City Interfaith Forum represents less than one

third of the religious groups registered in the greater Dublin area¹. In addition, the most recent Census shows that Dublin is the least religious county in the entire country², with more than 18% of the population reporting that they adhere no religion at all. As such, by facilitating a small number of religious denominations while excluding those of other faiths and those of no faith at all, you are not promoting “*integration*” but rather advancing sectarianism and religious discrimination.

For example, members of the Alliance of Former Muslims in Ireland have experienced all of the same racism and discrimination as believing Muslims have experienced. In addition to this abhorrent treatment, they have also experienced oppression and persecution by believing Muslims in Ireland, based on the Islamic teachings against apostasy. This includes teachings that have been promoted by some of the Muslim groups that are included within the Dublin City Interfaith Forum. Your policy appears to support those who preach against apostasy within the Muslim community, leading to the abuse of former Muslims in Ireland, up to and including the threat of physical violence against many ex-Muslims within the Direct Provision system³. At the same time, your policy is to exclude the Alliance of Former Muslims in Ireland, compounding the faith-based ostracisation that their members experience in Dublin on a daily basis. It is grossly insulting that you would behave in this manner while describing your policy as one that promotes “*integration*”.

We have attached herein, our correspondence dated 29th December 2020, along with the associated delivery receipt. This letter proposes that we should arrange some “*Rewind 2020*” events for our non-religious groups in early 2021. We would like to reiterate that suggestion now, and propose that we should find a date during March when the pandemic restrictions have been relaxed. We would also like to reiterate our request that you should nominate a charity to which we will make a donation from the Dublin City Inter-Non-Faith Forum, as part of our planned “*Rewind 2020*” ceremony.

Whereas you have mentioned that “*the use of the Mansion House and the Mansion House Garden are at the discretion of the Lord Mayor*”, we are certain you will agree that the Lord Mayor does not enjoy the discretion to allocate public resources to faith groups only, while treating those with no faith less favourably. We will look forward to hearing from you shortly.


Yours Sincerely,



Martin Boers
Church of Naturalism



Kareem Muhssin
Alliance of Former Muslims



John Hamill
Church of the Flying Spaghetti Monster

¹ <https://assets.gov.ie/41379/ff5a0d44a4f0473b9c937b367ca45a60.pdf>

² <https://www.cso.ie/en/releasesandpublications/ep/p-cp8iter/p8iter/p8rrc/>

³ <https://allianceofformermuslims.com/islamism-in-ireland/#testimonies>

Dear Customer,
Here is the Proof of Delivery Information you requested. In case of queries
please contact our Customer Services section at 1850 57 58 59

The information is presented below as follows :

1. Name of recipient.
2. Delivery Depot.
3. Delivery date.
4. Recipients signature.
5. Barcode(s).

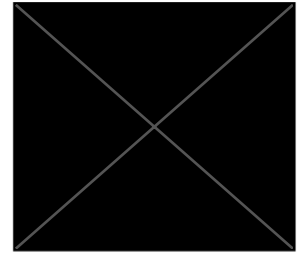


Name: LIAM
Delivery Depot: DUBLIN 2
Delivery Date: 31 December 2020, 09:24
Signature:

A handwritten signature in black ink, appearing to be 'LIAM', written over the signature label.

Barcode(s): RL815466201IE

DUBLIN CITY INTER-NON-FAITH FORUM



29th December 2020

Attn: Lord Mayor of Dublin
Mansion House,
Dawson Street,
Dublin 2,
D02 AF30,
Ireland.

Re: Celebration of Missed Festivals

Dear Ms Chu,

We refer to our previous correspondence to you dated 10th December 2020. It is now more than two weeks since that letter was delivered to you by registered post on 14th December 2020. It is a shame that it has not been possible to arrange some "Rewind 2020" events for our non-religious groups before the holiday period, but we will look forward to doing that in the New Year.

In that regard, we would like to bring two further issues to your attention:

1. The Alliance of Former Muslims of Ireland has now joined the Dublin City Inter-Non-Faith Forum, by accepting our Charter. Just as we are sure that you would not seek to support faith-based groups in the city while discriminating against our non-faith based groups; we are also certain that you will not seek to support Muslim groups while discriminating against those who have left Islam.
2. As part of the events we are planning, we would like to include a charitable donation to a worthy organisation of your choice. At your convenience, we would be grateful if you could nominate a charity to which we will make a "Rewind 2020" donation from the Dublin City Inter-Non-Faith Forum.

We will look forward to hearing from you shortly.

A handwritten signature in black ink that reads "M Boers".

Martin Boers
Church of Naturalism

A handwritten signature in black ink that reads "Kareem Muhssin".

Kareem Muhssin
Alliance of Former Muslims

A handwritten signature in black ink that reads "John Hamill".

John Hamill
Church of the Flying Spaghetti Monster

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

-v-

DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 5

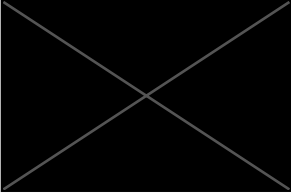


Cornhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

An Roinn Dlí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8 DX 1019 Na Ceithre Cúirteanna
Law Department

Civic Offices, Wood Quay, Dublin 8 DX 1019 Four Courts
P:2223220 E:edel.bradley@dublincity.ie

PRIVATE AND CONFIDENTIAL
Dublin City Inter Non-Faith Forum



4th March 2021

My Ref: EB / CED001/0199

Re: Equal Status Act

Dear Sirs,

Your letter of the 16th February 2021 has been forwarded to me. I note that your letter is in response to Form ES2 sent to you on the 15th February 2021.

You seem to have made a complaint in relation to an event that had been arranged with the Dublin Interfaith Forum prior to the inception of your own forum. You have received an apology for the failure to respond to your correspondence of the 10th December 2020 which was sent during the run up to Christmas period as noted by you. The city council accepts that there was a failure to acknowledge your letter and has now acknowledged receipt of your letter and your charter that was enclosed with your letter.

The correspondence with the Dublin Interfaith Forum by email was in relation to the organisation of an event that had been agreed to by the Lord Mayor on the 18th November 2020.

Your original letter of the 29th December 2020 has not been located. I note that you have provided a notice of delivery from An Post. As there is no signature, unfortunately it cannot assist the enquiries being made for the original letter which it noted as being delivered on the 31st December 2020. As advised previously, as this was within the holiday period there were no office staff working in the Lord Mayor's office in the Mansion House and it was at that time strictly a private residence.

All communities and groups are welcome to make an application to the Lord Mayor for the use of the Mansion House and Lord Mayor's Garden or to send an invitation to the Lord Mayor to attend an event that they are organising be it charitable, cultural, recreational or otherwise. In the present public health crisis there are no events being planned in line with government guidelines. The Lord Mayor's office provides details of any online events and this is accessible through social media.

In relation to your kind offer to make a charitable donation I would clarify that the Lord Mayor does not ask for donations as a pre-requisite for the use of the Mansion House or the Lord Mayor's Garden.

I trust that this assists with the concerns raised by you.

Ceannoifig, Oifigí na Cathrach, An Ché Adhmaid, Bhaile Átha Cliath 8. Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland

All correspondence must be addressed to the Law Agent.

Yvonne C. Kelly - Acting Law Agent

Mairead Cashman - Acting Assistant Law Agent; Samantha Gill - Acting Assistant Law Agent

T. 01 222 2222 W. www.dublincity.ie



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Yvonne C. Kelly
Acting Law Agent

When telephoning please ask for:

Edel Bradley

Direct Dial No: 2223220

E.mail: edel.bradley@dublincity.ie

All correspondence must be addressed to the Law Agent.

Yvonne C. Kelly - Acting Law Agent

Mairead Cashman – Acting Assistant Law Agent; Samantha Gill – Acting Assistant Law Agent

Ceannofig, Oifigi na Cathrach, An Ché Adhmaid, Bhaile Átha Cliath 8, Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland

T. 01 222 2222 W. www.dublincity.ie

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

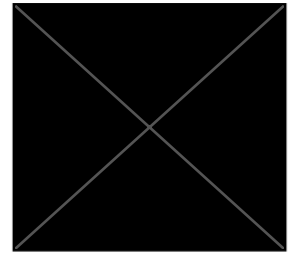
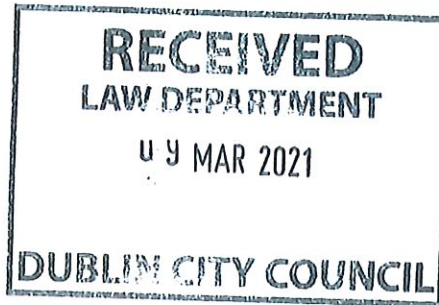
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DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 6

DUBLIN CITY INTER-NON-FAITH FORUM



8th March 2021

Attn: Lord Mayor of Dublin
Mansion House,
Dawson Street,
Dublin 2,
D02 AF30,
Ireland.

CC: Ms Yvonne C Kelly

Re: Celebration of Missed Festivals

Dear Ms Chu,

We refer to the correspondence from your office dated 4th March 2021, and we have also provided a copy of this letter to your colleague, Ms Kelly. The correspondence from your office states that we "*made a complaint*" about a DCIF event. This is not true. In fact, we explicitly congratulated you on your "*Rewind 2020*" events for members of the DCIF. Our request was merely that you might make public resources available to those of all faiths and none, rather than restricting those resources exclusively to citizens who hold religious beliefs.

The letter from your Office also informed us that "*... groups are welcome to make an application to the Lord Mayor for the use of the Mansion House and the Lord Mayor's Garden*". In fact, we have already made three such applications by registered post (on 10th December 2020, on 29th December 2020 and on 16th February 2021). Each of these applications was signed as received by your Office. It appears that when formally submitting an application as you have described, faith groups can receive a positive response from your Office within 30 minutes, while a blind eye may be turned to applications from non-faith groups.

On 26th November 2020, your Office wrote to the DCIF proposing an event on 8th December 2020, while qualifying this suggestion by stating that, "*we will have to await the announcement tomorrow regarding restrictions and any change in the number of people that can gather outside*". Of course, it is perfectly possible to make provisional arrangements on the understanding that they may need to change according to any subsequent government announcement. We would like to suggest that we should plan our event for Wednesday 14th April at lunchtime in the Lord Mayor's Garden, after the

current Level 5 restriction period will have ended. In doing so, we understand that this plan would be subject to any new government announcements with respect to further restrictions on the number of people who may gather outside.

Were you to facilitate such provisional planning in the case of faith groups, while denying provisional plans to non-faith groups, then this would represent less favourable treatment of those with no religious beliefs. Moreover, we should also note that your Office already has a longstanding track record in this regard. As just a few examples:

- In 2016, your Office supported an event to promote the DCIF Charter. There was no equivalent support for any non-faith groups.
- In 2017, your Office supported a conference arranged by the DCIF to promote the contribution of religious faith to civil society. There was no equivalent support for any non-faith groups.
- In 2018, your Office supported a “Five Marks” event arranged by the DCIF to promote understanding of interfaith ideas. There was no equivalent support for any non-faith groups.
- In 2019, your Office continued supporting, “MEASC – A Festival of Culture, Faith and Community”, which is an annual function arranged by the DCIF. There was no equivalent support for any non-faith groups.

In addition, WRC Adjudication Reference ADJ-00016391 refers to a complaint previously made by Atheist Ireland against your Office. The context of that case related to a DCIF banner that was manufactured and erected at public expense, and supported by your Office. Atheist Ireland had sought support for an equivalent banner that would refer to non-faith perspectives and your Office refused to facilitate that request. The complaint was not upheld because a prolonged series of correspondence on the issues resulted in the complaint running out of time.

Your office has a well established record over many years of repeatedly supporting DCIF events using public resources, while at the same time refusing to provide similar facilitation for any non-faith groups. With respect to your “Rewind 2020” events, on three previous occasions we have requested in writing that you include our non-faith group within those publicly funded events. As we stated in our letter of 10th December 2020 and within our subsequent correspondence, “we will look forward to hearing from you shortly with regard to the arrangements for some non-religious events, on mutually convenient dates”. Now, we formally request for the fourth time that you should make the Lord Mayor’s Garden available to us for our “Rewind 2020” events, on exactly the same basis that you have facilitated the DCIF. We do not intend to repeat this request for a fifth time.

Yours Sincerely,



Martin Boers
Church of Naturalism



Kareem Muhssin
Alliance of Former Muslims



John Hamill
Church of the Flying Spaghetti Monster

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

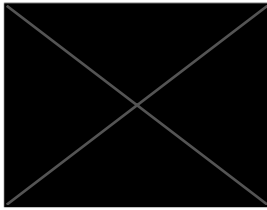
-v-

DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 7

Mr. John Hamill
Mr. Martin Boers
Mr. Kareen Muhssin



23rd March 2021

Dear Mr. Hamill

Thank you for your letter of 8th March.

You requested use of the Lord Mayor's Garden for lunchtime on Wednesday 14th April, 2021. Due to the current Covid 19 restrictions, we are not in a position to consider any requests to use either the Mansion House or the Lord Mayor's Garden at present.

Kind Regards

Hazel Chu
Lord Mayor of Dublin

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

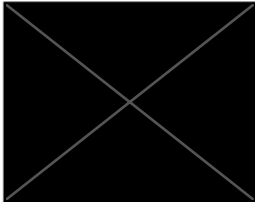
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DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 8

Dublin City Inter Non-Faith Forum



29th April 2021

Dear Mr Hamill, Mr Boers and Mr Muhssin

Thank you for your letter of 26th April.

You proposed you use the Lord Mayor's Garden lunchtime on Tuesday 1st June, 2021.

I am not considering any requests from external parties at present for the use of the Lord Mayor's Garden. I advise that you contact the new Lord Mayor of Dublin following their election on 28th June, 2021.

Kind Regards

Hazel Chu
Lord Mayor of Dublin

BETWEEN

ADJ- 00033467

JOHN HAMILL

COMPLAINANT

-v-

DUBLIN CITY COUNCIL

RESPONDENT

APPENDIX 9



An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

Bóthar Uí Bhrian, Ceatharlach, Éire
O'Brien Road, Carlow, Ireland
R93 E920

Seirbhísí Faisnéise agus Custaiméara
Information & Customer Services
T: 1890 80 80 90 or +353 (0)59 9178990

Seirbhísí Cigireachta agus Forfheidhmithe
Inspection & Enforcement Services
T: 1890 220 100 or +353 (0)59 9178800

Private and Confidential
27 May 2021

Adjudication File Ref: ADJ-00033467
Complaint Ref: CA-00044223

Ms Hazel Chu
Hazel Chu
The Mansion House
Dawson Street
Dublin 2
D02 AF30



Re: Complaint(s)/Dispute(s) – Mr John Hamill / Hazel Chu under:

Specific Complaint Reference	Complaint Area	Act
CA-00044223-001	Discrimination/Equality/ Equal Status	Complaint seeking adjudication by the Workplace Relations Commission under Section 21 Equal Status Act, 2000

Dear Ms Chu,

I refer to the above complaint(s)/dispute(s) received by the Workplace Relations Commission on 19/05/2021 and enclose a copy of same for your information. The complaint(s)/dispute(s) has been allocated the reference numbers shown above and these should be quoted on all correspondence and in any enquiries.

Email Consent

In future we would be happy to communicate with you electronically regarding this complaint. In order for us to serve documents on you via e-mail, we require your written consent to do so and an e-mail address to send future correspondence. It would be appreciated if you could provide such consent by e-mail to the WRC at submissions@workplacereactions.ie quoting the Complaint Reference number (CA-00044223) in the subject line of your consent email.

Any communications which may be received from you or the Complainant will be copied to the other party. In due course you will receive a communication advising of the date and venue for the adjudication hearing.

The complaint(s)/dispute(s) will now be considered for adjudication. An Adjudication Officer will in due course be assigned to this case. However, adjudication will not be required where the complaints have been resolved by mediation. Further to the Supreme Court judgment *Zaleski* [2021] IESC 24 the WRC can no longer guarantee hearings will be in private or that decisions would be anonymised.

Mediation

The Complainant may have indicated in his/her Complaint Application that he/she would be willing to avail of mediation services should the Commission be in a position to offer such services in this case.

Mediation seeks to arrive at a solution through an agreement between the parties, rather than through an investigation or hearing or formal decision. The Mediation Officer facilitates the parties to negotiate their own agreement on a clear and informed basis, should each party wish to do so. The process is voluntary and either party may terminate it at any stage.

Mediation can take the form of telephone conferences with the parties, face-to-face mediation conferences/meetings or such other means as the Mediation Officer considers appropriate.

Mediation is conducted in private and the terms of any settlement are not published and remain confidential to the parties. All communications by a Mediation Officer with the parties, all records and notes held for the purposes of resolving any matter and all information furnished at mediation are confidential. No information obtained at mediation may be disclosed to any third party including the Adjudication Officer or Labour Court. Any person who discloses information may be guilty of an offence, other than in proceedings or enforcement of the terms of the agreement.

Where a complaint/dispute is resolved, whether by mediation or otherwise, the Mediation Officer will record in writing the terms of the resolution, the parties will be asked to sign that record and the record of resolution will be given to the Director General of the Workplace Relations Commission. A copy will also be given to each party.

The terms of a resolution are binding on the parties and if either party contravenes these terms, the contravention will be actionable in any court of competent jurisdiction.

Where a complaint/dispute is not resolved, the Mediation Officer will notify in writing the parties to the complaint/dispute and the Director General of the Workplace Relation Commission.

Complaints/disputes may only be referred for mediation with the agreement of both parties to the complaint/dispute. **If the Complainant in this case has indicated a willingness to engage in mediation, the Commission's Mediation Services may be in contact with you shortly by telephone to enquire if you have any objection to participating in this process.**

If your complaint is not selected for Mediation or Mediation is not successful, an Adjudication Officer will inquire into the complaint(s)/dispute(s), give both parties an opportunity to be heard and to present any evidence relevant to the complaint(s)/dispute(s), make a decision in relation to the complaint(s)/dispute(s) in accordance with the relevant redress provision and give the parties a copy of that decision. It should be noted, however, that an Adjudication Officer may, at any time, dismiss a complaint or dispute if he/she is of the opinion that it is without substance or foundation. The Director General of the Commission may also decide that a complaint or dispute may be dealt with by written submissions only.

Documentation

Any documentation or submissions which you may wish to make should be forwarded to

The Workplace Relations Commission
Information and Customer Services
O'Brien Road
Carlow

The Commission operates an email facility for the purposes of the electronic submission of documentation at submissions@workplacerelements.ie.

You may also contact the Commission Information and Customer Services on our Lo-call number 1890 80 80 90 or 059 9178990.

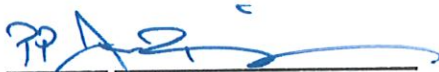
Any documentation should quote the above reference numbers and should be with the Commission by, at the latest, 21 days following the date of this letter, or within 10 days of the conclusion of a mediation process where relevant.

Queries and Further Information

Your attention is drawn to the Commission's "Procedures in the Investigation and Adjudication of Employment and Equality Complaints" which may be accessed and/or downloaded at www.workplacerelements.ie under Publications and Forms.

For general queries in relation to your complaint/dispute please contact the Commission's Information and Customer Services on our Lo-call number 1890 80 80 90 (please note that charges to this lo-call number may vary among service providers) or to 059 9178990.

Yours sincerely,



Helen Byrne
Information and Customer Services

Workplace Relations Complaint Form CA-00044223
Receipt Date: 19/05/2021 12:15:28



Complainant Details

Title	Mr	
Firstname	John	
Surname	Hamill	
If Complainant is a Company or Representative Body		
House Name or Number		
Street / Road:		
Town:		
County:		
Country:		
Postcode:		
Contact Number:		
E-mail:		
Nationality:		Irish
Position Held:		Not Applicable
PPS Number :		
Employer (PAYE) Number :		
Is the employer/respondent aware you are making this complaint?:	Yes	

Employment Details

Date of Commencement:	
Date of Notice received (if applicable):	
Date Employment ended (if applicable):	
My Work Address: Building Name or Number	
My Work Address: Street / Road:	
My Work Address: Town:	
My Work Address: County	Monaghan
My Work Address: Postcode:	

Pay Details

Pay Period	
Gross Pay	
Net Pay	
Weekly Hours Worked	

Respondent Details

Name/Company:	Ms Hazel Chu
Trading as (if applicable):	
Building Name or Number	
Street / Road:	The Mansion House, Dawson Street
Town:	Dublin
County	Dublin 2
Country	Ireland
Postcode:	D02 AF30
Title:	Ms
Firstname:	Hazel
Surname:	Chu
Position Held:	Lord Mayor
Contact Number:	
Email:	
Employer (PAYE) Number :	
Is the head office address different from above?:	No
Main business activity/sector:	Public Administration & Defence

Is this a Limited Company?:	No
Is this company in Receivership / Liquidation	Neither
Do one or more of your complaint(s) relate to a contravention of the Transfer of Undertakings Regulations?	No

Representative Details

Will you have representation?	No
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Special Facilities

Should your complaint fall to be considered by an Adjudication Officer, will you require any special facilities when attending a hearing?	No
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Specific Complaint CA-00044223-001

My complaint falls under (Please select from the drop down list below): *	Discrimination/Equality/Equal Status
Discrimination / Equality / Equal Status Type	I have been discriminated against by a person, organisation/company who provides goods, services or facilities
What date did you notify the person/service provider using the ES1 Form?	15/01/2021
Have you received a reply from the person/service provider on the ES2 Form?	Yes
If yes, what date was it received? (You must attach a copy of the reply if received)	15/02/2021
I say that I have been discriminated against by reason of my Gender	Not Selected
I say that I have been discriminated against by reason of my Civil Status	Not Selected
I say that I have been discriminated against by reason of my Family Status	Not Selected
I say that I have been discriminated against by reason of my Sexual Orientation	Not Selected
I say that I have been discriminated against by reason of my Religion	Selected
I say that I have been discriminated against by reason of my Age	Not Selected
I say that I have been discriminated against by reason of my Disability	Not Selected
I say that I have been discriminated against by reason of my Race	Not Selected
I say that I have been discriminated against by reason of my Membership of the Travelling Community	Not Selected
I say that I have been discriminated against by reason of my Housing Assistance	Not Selected
What is the date of the first incident of discrimination *	31/12/2020
What is the most recent date of discrimination *	19/05/2021
I say the respondent treated me unlawfully by discriminating against me in the Failing to give me 'reasonable accommodation' for a disability	Not Selected
I say the respondent treated me unlawfully by discriminating against me in Education	Not Selected
I say the respondent treated me unlawfully by discriminating against me in Provision of goods/services	Selected
I say the respondent treated me unlawfully by discriminating against me in Accommodation	Not Selected

I say the respondent treated me unlawfully by discriminating against me in Other	Not Selected
Selected Redress Option	Complaint seeking adjudication by the Workplace Relations Commission under Section 21 Equal Status Act, 2000
Redress Type	Adjudicator

Complaint Specific Details or Statement

Complaint Specific Details or in the case of a complaint relating to Constructive Dismissal, Employment Equality or Pensions Discrimination, a Formal Statement.

On 10th December 2020, I was a signatory to a letter from the Dublin City Inter Non-Faith Forum (DCINF Forum) to the Lord Mayor of Dublin. Our group of non-religious organisations in Dublin had noticed the "Rewind 2020" events advertised by the Lord Mayor. These events in the Mansion House were designed to facilitate religious groups in marking the celebrations that they had missed during the pandemic restrictions. Along with my colleagues in the DCINF Forum, I indicated that non-religious groups had also missed out on our own gatherings for the same reasons, and we requested that similar events could be arranged at the Mansion House for non-religious groups. In order to help facilitate this, we provided a copy of our Charter to indicate the type of topics that our proposed events might mention. Unfortunately, this correspondence was ignored. On 29th December 2020, I was a signatory on a subsequent letter from the DCINF Forum to the Lord Mayor of Dublin. This correspondence announced that a new non-religious organisation that had become a member of our group. We also proposed that the DCINF Forum would include a donation to a charity to be nominated by the Lord Mayor, as part of the events we were proposing. In addition, we indicated that we would still like to arrange some events in the New Year, even if it was not possible to arrange events before Christmas. Unfortunately, this correspondence was ignored. On 15th January 2021, I sent an ES1 Form and a blank ES2 Form to the Lord Mayor of Dublin. Within this correspondence I described how non-faith groups were being treated less favourably than faith-based groups. Specifically, the Office of the Lord Mayor responded immediately to requests from the Dublin City Interfaith Forum (DCIF) for "Rewind 2020" events with religious groups, while the same Office ignored similar requests for similar events with non-religious groups such as mine. For example, the first time that the DCIF wrote an email to the Office of the Lord Mayor about arranging "Rewind 2020" religious events, they received a response describing that as "a lovely idea" within 30 minutes. In contrast, the DCINF Forum had been ignored for more than 30 days. On 15th February 2021, the Lord Mayor responded using an ES2 Form. The only explanation offered for the discriminatory behaviour was "the extremely busy run up to the Christmas period". Of course, this does not explain why the same Lord Mayor's Office was able to respond promptly to faith bodies during the same period. The ES2 Form also referring to the priorities of the Lord Mayor as including "integration". In fact, the DCIF represents less than one third of the religious groups registered in the greater Dublin area. In addition, the most recent Census shows that Dublin is the least religious county in the entire country, with more than 18% of the population reporting that they adhere no religion at all. Facilitating a small number of religious denominations while excluding those of other faiths and those of no faith at all, is not promoting "integration" but rather advancing religious discrimination. For example, members of the Alliance of Former Muslims in Ireland (who are part of the DCINF Forum) have experienced all of the same racism and discrimination as believing Muslims have experienced. In addition to this abhorrent treatment, they have also experienced oppression and persecution by believing Muslims in Ireland, based on the Islamic teachings against apostasy. This includes teachings that have been promoted by some of the Muslim groups that are included within the Dublin City Interfaith Forum. The policy of the Lord Mayor's office supports those who preach against apostasy within the Muslim community, leading to the abuse of former Muslims in Ireland, up to and including the threat of physical violence against many ex-Muslims within the Direct Provision system. At the same time, the policy of that Office is to exclude the Alliance of Former Muslims in Ireland from events within public spaces, compounding the faith-based ostracisation that their members experience in Dublin on a daily basis. On 16th February 2021, I was a signatory on a subsequent letter from the DCINF Forum to the Lord Mayor of Dublin. We explained the problems with the ES2 Form and suggested a new date for our proposed event during March. On 17th February 2021, the Office of the Lord Mayor sent a letter referring the correspondence to the Dublin City Council Law Office, and on 4th March 2021 a letter was received from that Law Office. On 8th March 2021 I was a signatory on a subsequent letter from the DCINF Forum to the Lord Mayor of Dublin, which was also copied to the Dublin City Council Law Office. Whereas the letter from the Law Office stated that we "made a complaint" about a DCIF event, we pointed out that we had explicitly congratulated the Lord Mayor on the "Rewind 2020" events for members of the DCIF. Our request had been merely that the Lord Mayor might make public resources available to those of all faiths and none, rather than restricting those resources exclusively to citizens who hold religious beliefs. The letter from the Law Office also informed us that "... groups are welcome to make an application to the Lord Mayor for the use of the Mansion House and the Lord Mayor's Garden". In our response we highlighted that we had already made three such applications by registered post (on 10th December 2020, on 29th December 2020 and on 16th February 2021).

Moreover, we again compared the treatment of our non-faith group to the treatment of an equivalent faith group. On 26th November 2020, the Office of the Lord Mayor wrote to the DCIF proposing an event on 8th December 2020, while qualifying this suggestion by stating that, "we will have to await the announcement tomorrow regarding restrictions and any change in the number of people that can gather outside". Of course, it is perfectly possible to make provisional arrangements on the understanding that they may need to change according to any subsequent government announcement. We therefore suggested a new date for our event after the Level 5 restriction period ended. In doing so, we explained that we understood that this plan would be subject to any new government announcements with respect to further restrictions on the number of people who may gather outside. We further explained that were the Lord Mayor to facilitate provisional planning in the case of faith groups, while denying provisional plans to non-faith groups, then this would represent less favourable treatment of those with no religious beliefs. We also explained that such less favourable treatment of the non-religious should be viewed in the context of a longstanding track record in this regard. As just a few examples: 1. In 2016, the Lord Mayor's Office supported an event to promote the DCIF Charter. There was no equivalent support for any non-faith groups. 2. In 2017, the Lord Mayor's Office supported a conference arranged by the DCIF to promote the contribution of religious faith to civil society. There was no equivalent support for any non-faith groups. 3. In 2018, the Lord Mayor's Office supported a "Five Marks" event arranged by the DCIF to promote understanding of interfaith ideas. There was no equivalent support for any non-faith groups. 4. In 2019, the Lord Mayor's Office continued supporting, "MEASC – A Festival of Culture, Faith and Community", which is an annual function arranged by the DCIF. There was no equivalent support for any non-faith groups. In addition, WRC Adjudication Reference ADJ-00016391 refers to a complaint previously made by Atheist Ireland against the Lord Mayor's Office. The context of that case related to a DCIF banner that was manufactured and erected at public expense, and supported by the Lord Mayor's Office. Atheist Ireland had sought support for an equivalent banner that would refer to non-faith perspectives and the Lord Mayor's Office refused to facilitate that request. The complaint was not upheld because a prolonged series of correspondence on the issues resulted in the complaint running out of time. On 23rd March 2021, the Lord Mayor wrote to myself and the other members of the DCINF Forum, indicating that our request would not be facilitated due to the pandemic restrictions. On 26th April 2021, I was a signatory on a subsequent letter from the DCINF Forum to the Lord Mayor of Dublin, which referred to the comments of the Taoiseach about lifting the pandemic restrictions during the summer. That letter proposed a non-faith event in the Lord Mayor's garden on 1st June 2021, but unfortunately this letter was ignored. On 11th May 2021, I was a signatory on a subsequent letter from the DCINF Forum to the Lord Mayor of Dublin, which indicated that as of that date there were no further pandemic restrictions limiting the use of the Lord Mayor's Garden. We reiterated our request for an event on 1st June 2021. On 19th May 2021 I received a letter from the Lord Mayor indicating that she would not be facilitating our request and offering no explanatory reason. As such, I believe that the Lord Mayor has treated me less favourably than others because others have religious beliefs, whereas I have none. Specifically, I was treated less favourably in the provision of publicly-funded services by the Lord Mayor in the following ways: 1. The Office of the Lord Mayor responded immediately to requests from the Dublin City Interfaith Forum (DCIF) for "Rewind 2020" events with religious groups, while the same Office ignored similar requests for similar events with non-religious groups like mine. For example, the first time that the DCIF wrote an email to the Office of the Lord Mayor about arranging "Rewind 2020" religious events, they received a response describing that as "a lovely idea" within 30 minutes. In contrast, the DCINF Forum has been ignored for more than 30 days. 2. The Lord Mayor arranged for access to the Mansion House grounds for religious groups, while neglecting to arrange similar access for any non-religious groups like mine. The Lord Mayor attended events with religious groups while neglecting to attend any events with non-religious groups like mine. 3. The Lord Mayor reviewed a press release from religious groups and provided a comment into that press release supporting those religious groups, while neglecting to offer such support for any non-religious groups like mine. 4. The Lord Mayor arranged for the Dublin City Council logo to appear on a poster created by religious groups, while neglecting to provide similar support to non-religious groups like mine. 5. The Office of the Lord Mayor provided for scheduling assistance, arranged for the purchase of flowers, and instructed staff to provide furniture for religious groups, while offering no such support to non-religious groups like mine. 6. The Lord Mayor issued a press release about "Rewind 2020" and listed the religious groups that she was supporting, while declining to support any non-religious groups like mine. The Office of the Lord Mayor arranged for those same religious groups to be promoted through social media channels, while neglecting to support any non-religious groups in this way. The Lord Mayor included in her press release a comment from the DCIF, while neglecting to provide similar support to the members of the DCINF Forum, such as myself. In general terms, when the DCIF requested support from the Lord Mayor, they were immediately provided with extensive publicly-funded support, including the facilitation of events at the Mansion House at which the Lord Mayor participated. In contrast, when the DCINF Forum requested equivalent support for equivalent events, we were refused. Moreover, this behaviour of the Lord Mayor's office is part of a longstanding track record of offering public funds to faith groups, while refusing similar support to non-faith groups. For these reasons, I believe that I have been treated less fairly than others, because I have no religious beliefs.

Submission Page

Please indicate if you would be willing to avail of mediation services to facilitate the resolution of your complaint/dispute should the Workplace Relations Commission be in a position to offer these services in this case.	No
By providing an email address you are consenting to the Workplace Relations Commission communicating with you by electronic means (eMail) including the serving or giving notice(s)/document(s)	Yes
I declare that, to the best of my knowledge, the information provided in relation to the complaint(s) above is accurate.	Selected
Version Number	14
Version Date	