



PAVEE POINT
TRAVELLER AND ROMA CENTRE

Pavee Point Submission to the Department of Justice & Equality on the New National Women's Strategy 2017 -2020

Pavee Point Traveller and Roma Centre is a national non-governmental organisation committed to the attainment of human rights for Irish Travellers and Roma in Ireland. Established in 1985, the organisation comprises Travellers, Roma and members of the majority population working in partnership to address the needs of Travellers and Roma, who as minority ethnic groups experience exclusion and marginalisation. The aim of Pavee Point is to contribute to improvement in the quality of life and living circumstances of Irish Travellers and Roma by working for social justice, solidarity and human rights.

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Introduction

About This Submission

This submission highlights priority issues for Traveller and Roma women and girls in Ireland to inform the development of the new National Women's Strategy (NWS) 2017-2020. It draws from available research, data and findings from a recent consultation with Traveller and Roma women.¹ The submission puts forward amendments to the proposed high level objectives, and identifies issues and subsequent actions to progress the socioeconomic, political and cultural situation of Traveller and Roma women in Ireland.

Context to Socioeconomic, Political and Cultural Situation of Traveller and Roma Women

As minority ethnic women, Traveller and Roma women constitute one of the most marginalised and excluded individuals and groups in Ireland.² They face additional marginalisation in comparison to Traveller and Roma men and women in the general population due to intersectional discrimination based on gender, ethnicity, socioeconomic status and other factors.

Numerous national and international bodies have raised significant concerns in relation to the persistent and deteriorating situation of Travellers and Roma, particularly as a result of austerity measures introduced as part of the most recent recession. Yet, Traveller and Roma women have been completely excluded from key strategies, including the National Women's Strategy, National Traveller Roma Inclusion Strategy (2011), and the National Strategy on Domestic, Sexual and Gender-based Violence (DSGBV) 2010-2014.³

Proposed Amendments to the High Level Objectives for the NWS 2017-2020

It is explicitly recognised by international bodies, including the European Commission and the UN Convention and Committee on the Elimination of all Forms of Discrimination against Women, that targeted measures are required to address the exclusion and marginalisation of Traveller and Roma women, with the aim to mainstream.⁴ We welcome the development of Ireland's second National Traveller and Roma Inclusion Strategy and the gendered actions planned to be included in it. However, this should not exclude Traveller and Roma women from other national strategies and action plans as the ultimate aim should be to include Traveller and Roma women in mainstream measures. Both targeted and mainstream approaches are required. In line with the European Commission principles on Traveller and Roma women, consideration must be given in mainstream policies and decisions on the social inclusion of Roma and Traveller women.

To reflect the issues and lived realities of Traveller and Roma women on the ground, the proposed high level objectives require amendment. 'Promote women and girls' equal and active citizenship' and 'Embed gender equality in decision-making'- objectives can be seen to intersect with one another. In addition, they constitute as actions rather than high level objectives. The high level objectives must be formulated in such a way that they are specific and measurable. The Strategy must avoid taking a shape of a mere list of actions.⁵ With clear objectives, actions, outcomes, indicators, timeframes and budgetary lines the Strategy can be implemented and monitored in an effective and transparent way.

Gender-based violence is a specific issue facing girls and women. It's exclusion from the proposed high level objectives must be addressed by including a specific high level objective on gender-based violence.

We also encourage the State to ensure that the Strategy is based on a human rights framework and to be in line with Ireland's human rights obligations that the State is signatory of, including the UN

Convention of Economic, Social and Cultural Rights and Convention on the Elimination of all Forms of Discrimination against Women. The cultural rights of minority ethnic women and the intersectional discrimination faced by Traveller and Roma women must be reflected in the new NWS.

Therefore, we propose the high level objectives are amended to:

1. High Level Objective 1:	Improve the Implementation and Monitoring of the NWS
2. High Level Objective 2:	Advance Socio-economic and Cultural Rights of Women and Girls
3. High Level Objective 3:	Improve Women and Girls' Physical and Mental Health
4. High Level Objective 4:	Improve Women and Girls' Participation in Political & Public Life ⁶
5. High Level Objective 5:	Advance Women in Leadership
6. High Level Objective 6:	Reduce Gender-based Violence

1. High Level Objective 1: Improve the Implementation and Monitoring of the NWS

1.1. Development, Implementation, Monitoring and Evaluation of the NWS 2017-2020

The NWS 2007-2016 was developed and implemented without consultation with Traveller and Roma women's representative organisations. The Strategy made reference to the 'special needs' experienced by Traveller women, yet contained no targeted actions or funding and monitoring mechanisms to address the intersectional forms of discrimination and disadvantage experienced by Traveller women. Roma women were entirely omitted from the Strategy.

Traveller and Roma women must be explicitly mentioned and integrated into all aspects of the new NWS in an effort to improve Traveller and Roma women's access, participation and outcomes in public services. Targeted objectives and actions to address the exclusion and marginalisation of Traveller, Roma and other minority women must be cross cutting throughout and embedded within all the high level objectives of the Strategy.

Actions:

- Ensure Traveller and Roma specific objectives, actions, targets, outcomes, indicators, timeframes and budgetary lines within the new NWS
- Engage in active and meaningful consultation with Traveller and Roma women's representative organisations in the development, implementation, monitoring and evaluation of the new NWS
- Incorporate advisory and appropriate decision making powers into the monitoring and consultative structures of the NWS
- Undertake an independent mid-term evaluation of the Strategy

1.2 Data: Equality Proofing of Policy & Programming

Lack of disaggregated data by ethnicity and gender results in failure to provide ongoing evidence base of the situation of Traveller and Roma women, and in failure to undertake comprehensive human rights and equality proofing of State policies, budgets and programming. Concerns at the lack of disaggregated data in formulating and monitoring policy and programming have been raised by UN CEDAW, CRC and CESCR.⁷

Section 42 of the Irish Human Rights and Equality Commission Act 2014 mandates all public bodies to take proactive steps to assess and promote equality, protect human rights and eliminate discrimination.⁸ Progress has been made with Central Statistics Office, which has included Travellers as an administrative category since Census 2006, but Roma are still omitted.⁹ The State has also commissioned two significant pieces of research: the first National Roma Needs Assessment

(forthcoming in 2017) and All Ireland Traveller Health Study (AITHS, 2010).¹⁰ However, data from the AITHS has largely been met with inaction by the State, and despite the evidence, no action plan has been introduced by the Department of Health to address the stark findings.

A small number of health service providers have introduced ethnic identifiers. However, ethnic categories are not standardised; ethnic identity is often ascribed to Travellers and Roma by using proxies such as name or looks; and the data is not disaggregated, analysed or provided to stakeholders within an appropriate timeframe. These practices are in direct contravention of human rights-based data collection principles.

Actions:
<ul style="list-style-type: none"> • Collect, analyse and disseminate disaggregated data by ethnicity and gender across all administrative systems and statutory services in line with human rights standards • Establish a national oversight committee with representatives from statutory and NGO sectors to implement, monitor and evaluate ethnic data collection, analysis and dissemination

1.3 Financial Resources and Activities for the Advancement of Traveller and Roma Women

In 2005, the CEDAW Committee expressed concern with regards to the high risk of Traveller women exposed to consistent poverty and social exclusion. Since then, there has been very little gender specific financing or activities directed at Traveller women, and none towards Roma women.¹¹

The UNCRC, CESCRC and European Commission have raised serious concerns at the significant increase in the number of children living in consistent poverty as a result of austerity measures, particularly in jobless households and Traveller and Roma communities.¹² In November 2016 the Council of Europe Commissioner for Human Rights expressed deep concerns at women’s rights and the persisting social exclusion and discrimination experienced by Travellers. He noted that Travellers have been affected in a gravely disproportionate manner by budget cuts during austerity and called for urgent re-investment in the community.¹³

The scale of the cuts (Table 1) during austerity and underspend of budgets (Table 2) for Traveller specific programming are apparent in Government’s own figures:¹⁴

Table 1. Cuts to Programmes for Travellers 2008- 2013	
Interagency activities	-100%
Education	-86.6%
Accommodation	-90%
Equality	-76.3%
National Traveller Organisations	-63.6%
FAS SIT (employment initiative)	-50%
Health ¹⁵	-5.4%
Overall government cut	-4.3%

Table 2. Underspend of Allocated Budgets to Programmes for Travellers 2008-2013	
Health	18%
Equality	28%
Accommodation	36%
FAS SIT- Special Initiative for Travellers (employment)	40%

The cuts have also severely compromised the capacity of public services and community development programming in facilitating the inclusion of Traveller and Roma women in education, training, employment, health and accommodation. Roma and Traveller women are also under-represented in national social inclusion programmes related to employment, training, health, accommodation and education. Less than 2% of the Social Inclusion & Community Activation Programme (SICAP) caseload and less than 3% of local community groups in 2016 were from Traveller and Roma communities.¹⁶ The recent departmental move towards strengthening the engagement of members of Traveller and Roma communities is welcomed.

Actions:
<ul style="list-style-type: none"> • Equality proof budgetary decisions in a systematic and transparent way in partnership

with Traveller and Roma organisations

- **Allocate and ring-fence adequate human and financial resources to specific programming related to the social inclusion of Traveller and Roma women in education, training, employment, health, accommodation, violence against women, and local and community development initiatives**
- **Increase dialogue and collaboration with Traveller and Roma women’s representative organisations to increase Traveller and Roma women’s engagement in national social inclusion programmes**

2. High Level Objective 2: Advance Socio-economic and Cultural Rights of Women and Girls

2.1 Anti-Roma and Traveller Discrimination and Racism

Traveller and Roma women experience high levels of discrimination and racism at individual and institutional levels. Roma women are highly vulnerable to racism, particularly women who are more easily identifiable as Roma.¹⁷

% of Travellers who experience discrimination (no gender disaggregated data available) ¹⁸	Discrimination against Roma Women ¹⁹
<ul style="list-style-type: none"> • 40% of Travellers have experienced discrimination in accessing health services • 62% of Travellers have experienced discrimination at school • 55% of Travellers have experienced discrimination at work • 61% of Travellers have experienced discrimination in a shop/restaurant/pub • Research shows Traveller women reporting ill-treatment by An Garda Síochána, including abusive, discriminatory and racist language and physical violence ²⁰ 	<ul style="list-style-type: none"> • 61.5 % of Roma women worry ‘most of the time’ about unfair treatment due to being Roma • 93.8 % of Roma women feel discriminated against in accessing accommodation • 85.1% of Roma women feel discriminated against in accessing social protection • 75% of Roma women report being stopped by An Garda Síochána for an identity document • 86.3% of Roma women feel discriminated against on a street or public setting • 78.3% of Roma women feel discriminated against in shops, restaurants, pubs, & other social venues

In two incidents in 2013 two Roma children, who unlike their parents had fair skin and hair, were taken into state care on suspicion that they had been abducted. It was later discovered that the children were living with their biological families and the children were subsequently returned. The subsequent Inquiry by the Ombudsman for Children confirmed that the events were influenced by unfounded and deeply prejudiced myths about Roma ‘stealing children’. The inquiry found that one of the Irish cases constituted ethnic profiling.²¹

The refusal to recognise Travellers as a minority ethnic group has excluded Traveller women from anti-racism and intercultural initiatives.²² The State’s reticence to identify and monitor ethnic and racial discrimination is exemplified by non-renewal of National Action Plan Against Racism (2005-2008) and abolition of National Consultative Committee on Racism and Interculturalism (NCCRI) in 2008.²³ It was intended that the responsibility for anti-racism and interculturalism would be transferred to the Office for the Promotion of *Migrant* Integration. This section of the Department of Justice and Equality excludes Travellers who are an indigenous minority ethnic group.

Actions:

- **Introduce a new National Action Plan against Racism with a strong gender focus and establish a national oversight committee inclusive of representatives from Traveller and Roma organisations to develop, implement and monitor the plan**
- **Develop and resource training and capacity building with members of An Garda Síochána**

and the judiciary on Traveller and Roma communities, anti-racism, and anti-discrimination with a specific focus on the gendered stereotypes and discrimination faced by Traveller and Roma women. Develop and deliver this in partnership with Traveller and Roma representative organisations in pre-service and in-service training within the relevant agencies

2.2 Education

2.2.1. Main Findings and Statistics

There are stark inequalities between Traveller and Roma girls/women and the general population in participation, attendance, attainment and progression through second to third level.²⁴ This has wider human rights consequences by exposing Traveller and Roma girls and women to low educational attainment, future unemployment, poverty and social exclusion.

Travellers - Educational Disadvantage	Roma - Educational Disadvantage ²⁵
<ul style="list-style-type: none"> • 13% of Travellers complete secondary education in comparison with 92% of the general population²⁶ • 55% of Travellers have completed their formal education by the age of 15²⁷ • 7 out of 10 Traveller children (67.3%) live in families where the mother has either no formal education or primary education only²⁸ • 17.7% of Travellers have no formal education in comparison with 1.4% of the general population. Of the 115, 76 are women • Less than 1% of Travellers are in third level education²⁹ 	<ul style="list-style-type: none"> • 40% of households with children under 5 have children attending pre-school • In 78% of households children at primary school age are attending school • In 72% of households children at post primary age are attending school • 6% of households have a member attending third level education • 41.1% of adult Roma women born outside Ireland have never been to school, in comparison to 22% of Roma men • 3.5% of Roma women have completed more than 12 years of education

These issues stem from lack of financial resources; sub-standard accommodation; parents' history of educational disadvantage; and lack of literacy and English language skills. Discrimination and identity based bullying are significant problems for both Traveller and Roma girls: 62% of Travellers experience discrimination at school.³⁰

Additional costs associated with schooling³¹ put extra pressure on families who are unable to afford to purchase school uniforms, books or lunches.³² 40% of Roma households with children are unable to access social protection, including Child Benefit, Back to School Clothing and Footwear Allowance (see section 2.4). 57.5% of Roma report not having enough money for books and uniforms; 25% of Roma households report children going to school hungry, and 35% going to school without adequate school lunches.³³

Actions
<ul style="list-style-type: none"> • Promote the Early Childcare and Education (ECE) pre-school scheme within the Traveller and Roma communities to facilitate access to free pre-school • Develop early intervention education welfare supports to promote and support Traveller and Roma girls' attendance, participation and engagement with the education system and retention to the Leaving Certificate or equivalent • Ensure the costs associated with attending school do not act as a barrier to Traveller and Roma children realising their right to education • Provide targeted supports for Traveller and Roma women undertaking part-time study at third level

2.2.2 Mainstreaming vs. Targeted Supports for Traveller and Roma Girls and Women

Traveller specific education supports were cut by 86.6% following budget 2011.³⁴ Despite recognition of the need for additional support for Travellers at departmental level,³⁵ the State insists on a mainstreaming approach.

The 2006 Report and Recommendations for a Traveller Education Strategy was never developed into a strategy. Numerous recommendations have not been implemented and many of those that were have since been dismantled. The Department of Education and Skills has stated that the Report will be reviewed and published early 2017. However, no Traveller parents, children or representative organisations have been included in this review process at this current point in time.

The Traveller Education Advisory Consultative Forum (TESACF), established in 2009 has not met since May 2015. The new Action Plan for Education 2016-2019 contains only one Traveller specific action on increasing participation in third level education, but no actions aimed at increasing Traveller girls' participation and attainment at primary or post primary levels.³⁶ Roma girls and women have been excluded from all of these education structures and policy measures.

Actions:

- **Ensure that annual updated Action Plans for Education include targeted actions on Traveller and Roma girls and women and that they are developed in consultation with Traveller and Roma organisations**
- **Ensure the review of the Report and Recommendations for a Traveller Education Strategy includes Traveller parents, children and representative organisations**

2.23 Admission to Schools Bill 2013

Otherwise known as the 'past pupil criterion', large number of schools give priority in school admissions to children or relatives of past pupils. This has a disproportionate and discriminatory impact on Traveller and Roma girls who are unlikely to have had a family member previously attend school due to high levels of educational disadvantage among families and Roma constituting a community with a migrant background.³⁷ In fact, 38.5% of 30-44 year olds and 25.8% of 45-64 year old Travellers have primary education only.³⁸ The more recent version of the Admission to School Bill published in July 2016 makes **no** attempt to prevent schools from utilising the 'past pupil criterion' as part of their enrolment criteria.³⁹

Actions:

- **Introduce legislation to prevent schools from utilising the 'past pupil criterion' in the allocation of school places under all circumstances**

2.24 Discrimination in Schools and Gender and Cultural Identity in School Curriculum

Discrimination and identity based bullying based on ethnicity and gender are significant issues for both Traveller and Roma girls. 62% of Travellers experience discrimination at school.⁴⁰ This leaves Traveller and Roma girls particularly vulnerable and isolated, particularly if the response from the school is inadequate.

The issue of isolation is compounded by the absence of Traveller/Roma culture within the formal curriculum at primary and post primary levels. The long term implications of failing to incorporate Traveller/Roma culture across the curriculum are twofold. Firstly, it prevents students from the majority population from understanding and appreciating the contributions made by the Traveller and Roma communities to wider Irish society and European culture, allowing individual prejudices and stereotypes to breed. Secondly, it results in Traveller/Roma students feeling that their culture is neither valued nor welcomed in the education system, contributing to a lower sense of self-worth and isolation within the school community.

Actions

- Record identity-based bullying based on gender and ethnicity and ensure these records are inspected as part of Whole School Evaluations
- Embed Traveller and Roma culture and history in formal school curriculum
- Introduce positive action measures to encourage and support Traveller and Roma women to become early year educators, teachers and special needs assistants
- Introduce compulsory intercultural training on Traveller and Roma communities for initial teacher education and continuous professional development for primary and post primary teachers and early year practitioners

2.3 Employment

Traveller and Roma women experience high levels of unemployment due to low educational attainment, discrimination, childcare and family commitments, and being placed in a poverty trap due to welfare issues. Roma women who do not meet the right to reside or habitual residence condition are not considered jobseekers and therefore are not eligible for many training and employment supports (see section 2.4). 81.6% of Roma women report feeling discriminated against in getting hired, and 55% of Travellers have experienced discrimination at work.⁴¹ High cost of childcare acts as a major barrier for Traveller and Roma women to access employment, further education and training.⁴² Many women also fear losing secondary benefits, in particular the Medical Card.⁴³

Traveller Women - Unemployment	Roma Women - Unemployment ⁴⁴
<ul style="list-style-type: none">• 81.2% of Traveller women are unemployed• Traveller unemployment increased from 74.9% in 2006 to 84.3% in 2011⁴⁵• Only 4.8% of Travellers are employed or self-employed ⁴⁶	<ul style="list-style-type: none">• Only 8.2% of Roma women are in employment in comparison to 20% of Roma men• All Roma who report being engaged in self-employment are male

Regardless of this, no gender-specific employment or training opportunities have been introduced for Traveller and Roma women. The national training authority, FAS, commenced a Special Initiative for the employment of Travellers in 2005, FAS SIT. However, this programme was cut by -50% during the recession, and there was an underspend of 40% of the allocated budgets.⁴⁷ Eight of the projects were reportedly still running in 2012 but there is no information on Traveller participation after this.

Actions:

- Adopt special measures to ensure Traveller and Roma women can access affordable childcare; retain secondary benefits while participating in training; and given their health inequalities can retain medical cards for a set period of time after entering employment
- Resource targeted employment and training measures for Traveller and Roma women to increase access and engagement in mainstream employment, training, apprenticeship and traineeships
- Introduce accessible English language supports to support Roma women to participate in the labour market
- Introduce internships for Traveller and Roma women in Government Departments, Local Authorities and other public bodies
- Pilot an employment and training programme for Roma women who are not habitually resident to provide opportunities for employment

2.4 Economic and Social Benefits

2.41 Right to Reside and Habitual Residence Condition

Many Roma women in Ireland are unable to access any social protection due to the implementation of right to reside, European Directive 2004/38, and habitual residence condition (HRC), policy by the Department of Social Protection. Under the European Directive Roma women have a right of residence without restriction for three months.⁴⁸ Establishing a right to reside is a prerequisite to meeting the HRC, which a person must meet in order to access welfare supports, including Child Benefit, Job Seekers Allowance, Rent Allowance, public housing, and employment and training supports.⁴⁹ The right to reside and HRC can also impact access to medical cards when women cannot prove their means.

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|--|---|
| <ul style="list-style-type: none">• 25.5% of Roma don't have the right to reside• 25.7% of Roma are not habitually resident | <ul style="list-style-type: none">• 38.5% of Roma don't know if they have a right to reside• 26.9% don't know if they are habitually resident⁵⁰ |
|--|---|

Roma women face significant difficulties with proving residency in the State with lack of documentation, proof of address and language and literacy skills. Concerns about the discriminatory effect of the HRC on Travellers, Roma and victims of domestic violence have been raised by the Special Rapporteur on extreme poverty and human rights, European Commission against Racism and Intolerance, UNCRC, HRC, and CESCR.⁵¹

2.42 Access to Social Welfare Payments & Personal Public Service Number (PPS number)

57% of Roma women are not successful in applying for social welfare supports, and 12.7% of Roma women don't have a PPS number. This makes it impossible to access a range of welfare supports and register the birth of a child, leaving women and children in extremely vulnerable situations for significant periods of time.⁵² A staggering 85.1% of Roma women also feel discriminated against in accessing social protection, regardless of the success of their application. It is important to note that of those who are not successful in their social protection applications, the average number of years they have lived in Ireland is eight years.

2.43 Begging

17.6% of Roma households report begging as a source of income in order to survive. Unemployment and lack of access to the HRC have a direct link with begging – all Roma who beg report not being habitually resident. Begging often results in further stigmatisation of Roma women, arrests, unpaid fines and prison sentences.⁵³

2.44 Poverty among Traveller and Roma Women and Children

In 2016, the UNCRC expressed deep concern for the disproportionate number of Traveller and Roma children living in consistent poverty and structural barriers for them to access adequate standard of living, health care and education. The Committee noted pronounced reductions in budget allocations for Traveller and Roma children and proportionate cuts to Traveller specific public programming and social welfare payments. Despite the Child Benefit being a 'universal' payment in Ireland, many Roma children are not entitled to this or any other social protection payments. The European Commission has noted how "resources devoted to the most disadvantaged children - the ethnic minority children and those in jobless households – have been cut back and there is no particular prioritising of such children in existing measures."⁵⁴

40% of Roma households with children are not successful in applying for social protection payments. This results in stark realities leaving women and children at risk of extreme poverty and destitution:

%of Roma	Facing some or all of the issues below:
0 - 20% of Roma	<ul style="list-style-type: none"> • 12.4% have no kitchen; 9.6% no cooker; 13.5% no fridge; many sometimes go without enough food, gas, water and/or electricity
0 - 50% of Roma	<ul style="list-style-type: none"> • Children gone to school hungry (25%) or without adequate lunches (35%) • Not always enough food (49.5%) or fuel (46.2%) and cannot keep the house warm all the time (66.3%) • Not enough money for books and uniforms (57.5%)

Comparing the percentage of Travellers living in particular situations with associated ‘at risk of poverty’ rate for the general population indicates serious concerns with regards to poverty rates among Traveller women:

Status	% of Travellers - Census 2011	‘At risk of poverty’ % rate 2014 (General Population) - Central Statistics Office
Unemployed	84% of Travellers are unemployed	35.9%: Unemployed
Highest education level attained	91% of Travellers leave school at the age of 16 or younger	21.8%: Lower secondary
Tenure Status	76.7% of Travellers in rented accommodation	18.8%: rented at market rate

Other data indicates that Traveller girls are likely to be experiencing high levels of poverty: 13% of Traveller children complete secondary education versus 92% of the general population;⁵⁵ 7 out of 10 Traveller children live in families where the mother has no formal education or primary level education only;⁵⁶ and when compared to other children Travellers are less likely to report eating breakfast on 5 or more days per week.⁵⁷

Actions:
<ul style="list-style-type: none"> • Review the application of the right to reside and habitual residence condition in consultation with Traveller and Roma representative organisations to ensure compliance with Ireland’s human rights obligations • Make Child Benefit payments a truly universal payment that is not contingent on the fulfilment of the habitual residence condition⁵⁸ • Provide support to Roma in ensuring documentation for social protection and PPS number applications, and investigate alternative/complimentary models of evidencing eligibility, rights and entitlements • Initiate a humanitarian response for people who do not meet the right to reside to ensure that women and children are not living without food and basic accommodation facilities • Include specific targets for Traveller and Roma women and children as part of State’s poverty reduction targets for 2020 • Undertake comprehensive research in collaboration with Traveller and Roma organisations to assess the levels of ‘at risk of poverty’ and/or living in consistent poverty among women

2.6 Accommodation

2.61 Statutory Duty - Housing (Traveller Accommodation) Act 1998

In 2016, the Council of Europe Commissioner for Human Rights stressed the “urgency of addressing insufficient provision of Traveller-specific accommodation, inadequate conditions of many Traveller sites and inadequate safeguards against forced evictions.” He called on national authorities to ensure that Local Authorities spend the allocated Traveller accommodation budgets.⁵⁹

The majority of Local Authorities have consistently failed to meet their targets and provide adequate and culturally appropriate accommodation for Travellers. Traveller accommodation budget fell from €40m in 2008 to €4m in 2013 - a decrease of **90%**. Substantial parts of the reduced budgets have remained unspent, with no incentives or sanctions in place to ensure that Local Authorities meet their legal obligations.⁶⁰ The National Traveller Accommodation Consultative Committee (NTACC) and Local Traveller Accommodation Consultative Committees (LTACCs) remain purely advisory bodies with no mandate to compel Local Authorities to comply with their obligations.

2.62 Accommodation Conditions, Homelessness & Housing (Miscellaneous Provisions) Act 2002

In 2016 the European Committee of Social Rights found that the Irish Government was in violation of Article 16 of the European Social Charter on five grounds, including insufficient provision of accommodation for Travellers and inadequate conditions on many Traveller sites. The Committee noted that there was insufficient and unreasonable grounds for Traveller evictions and that there was insufficient legislation which allows for evictions to take place with no less than 24 hours' notice.⁶¹ Local Authorities use the Housing (Miscellaneous Provisions) Act 2002 to evict families who are on Local Authority housing lists, but whose accommodation needs have not been met.

Traveller women spend more time at home and bear the brunt of the impact of poor and unsafe accommodation conditions. Almost 1 in 3 Traveller households living in mobile or temporary accommodation have no sewerage facilities and 1 in 5 have no piped water source.⁶²

According to Census 2011, 3,377 Traveller families still needed to have their permanent accommodation needs met,⁶³ and for many families the wait can take decades. Government statistics from 2015 showed that 3,876 Traveller families were without permanent accommodation:⁶⁴

- 534 Traveller families lived on 'unauthorised sites' at the roadside
- 862 Traveller families were 'sharing' accommodation – 'sharing' is a euphemism used by the State for Travellers living in chronic overcrowding
- 2480 Traveller families were living in private rented accommodation without security of permanent tenure.⁶⁵

Travellers living in 'unauthorised' sites or 'sharing' accommodation are in effect homeless, but they are excluded from Government statistics on homelessness.

Unstable accommodation status has a correlation with socioeconomic disadvantage, poor health and increased drug use among Traveller women, with 32.5% of female Traveller drug users staying in some form of unstable accommodation.⁶⁶ Traveller women who experience domestic violence face great difficulties with accessing private rented and public housing, and are often forced to stay in abusive homes or face homelessness.

2.63 Carrickmines Tragedy and Increased Traveller Evictions

A tragic fire on a Traveller halting site in Carrickmines, Dublin, in 2015 led to the death of ten Travellers, including children and a young pregnant mother. The site was meant to be temporary, but after 8 years the Traveller families were still waiting to be accommodated in a permanent and safe site. After a series of negotiations (and objections from local residents on the first site proposed) the Local Authority identified a site for the bereaved family. The family was placed at a former refuse dump, now a car park, with no proper sewage facilities. The site was described as 'not ideal' by the Council itself.⁶⁷

Subsequent to these events, a national fire safety audit of Traveller accommodation was conducted. This led to a number of forced evictions on the basis of health and safety concerns on Traveller sites

– the conditions of which Local Authorities are legally responsible for in the first place - and left women, pregnant mothers and children homeless.⁶⁸ In one local eviction, a pregnant Traveller woman was forced to sleep in her car.⁶⁹

2.64 Accommodation - Roma Women

Inadequate and insecure housing, sanitary and living conditions expose many Roma women and children to further health and safety hazards and interruptions in school attendance. The majority of Roma live in private rented accommodation with only 13% renting from a local authority. Lack of documentation is reported to be a key barrier for accessing Local Authority housing.⁷⁰

Overcrowding is a significant issue with 24% of Roma living in households of 8 or more people and 7% with 10 or more people. A further 45% report not having enough beds in their accommodation and there are significant concerns with regards to accommodation conditions (see section 2.4). There are many instances of women and children living with rat infestations, damp, broken windows, leaking toilets and no light to do homework. In several incidents families are paying rent for accommodation in unsafe and unhygienic warehouses with no electricity or water.

6.6% of Roma women report to be currently homeless and 52% of women have been homeless at some stage. These figures are likely to be higher as people living with family and friends in overcrowded conditions may not be recorded. Many of those are unable to access homeless services due to inability to prove their residency in an area.⁷¹

There has been no coordinated State response to address housing issues faced by Roma women in Ireland, and the draft National Traveller Roma Inclusion Strategy has no actions to address this issue. The Department of Housing, Planning, Community and Local Government has stated that they bear no legal mandate or responsibility for providing for the accommodation needs of ‘Roma migrants’ in Ireland.⁷² This fails to take into account that there are now second and third generation Roma living in Ireland.

Actions:

- **Reinstate and ring-fence Traveller accommodation budget to 2008 levels at minimum**
- **Undertake a complete overhaul of the Housing (Traveller Accommodation) Act 1998 and repeal the Housing (Miscellaneous Provisions) Act 2002 which gives the State additional powers to evict Traveller families**
- **Place a moratorium on evictions until accommodation needs of Travellers have been met**
- **Undertake an independent national assessment of the current Traveller accommodation crisis and to review the accommodation and housing needs and conditions of Traveller and Roma women, particularly among those affected by domestic violence and drug and alcohol misuse**
- **Undertake special measures in accommodation plans and policies to ensure that Traveller and Roma women’s accommodation and housing needs are met**
- **Fund staff within Traveller and Roma organisations to assist Roma and Traveller women with accommodation issues**

2.7 Women in Detention

2.71 Over-representation of Traveller Women in Detention

Although Travellers account for 0.6% of the overall population in Ireland, they account for 22% of the female prison population.⁷³ The risk for a Traveller woman being imprisoned is 18 to 22 times higher than that of the general population.⁷⁴ The majority of Traveller women are sent to prison for non-violent, poverty related offences.⁷⁵ They have a background of social and educational

disadvantage, unemployment, homelessness, illiteracy, racial discrimination, mental health problems and/or drug and alcohol dependency. Most Traveller women in prison have also experienced domestic violence from a current or previous partner.⁷⁶

The Irish Prison Service Strategic Plan 2016-2018 and Joint Irish Prison Service and Probation Service Strategic plan 2015-2017 contain actions to respond to the particular needs of Travellers in prison.⁷⁷ However, the State hasn't introduced any measures to address the over-representation of Traveller women in prison or the contributing factors that increase their risk of imprisonment.

2.72 Poor Health in Detention

Traveller women in prison experience high rates of health problems, including chronic disease and mental health problems, with suicide rates among Traveller prisoners being higher in comparison to others.⁷⁸ Recent study shows poor mental health to be a significant issue in the lives of Traveller women in prison. It shows a direct link between poor mental health and the women's experiences of domestic violence, drug use, availability of drugs in prison, discrimination, name calling, and being away from family and children.

Actions:

- **Introduce alternative community-based responses for female Traveller and Roma offenders**
- **Conduct research to fully explore the relationship between the disproportionate risk of Traveller women being imprisoned with social disadvantage, marginalisation and discrimination by An Garda Síochána and judiciary**
- **Resource sufficient mental health services and peer support services in probation and prison services for Traveller and Roma women, and provide targeted reintegration supports for women and supports for families affected by imprisonment**
- **Resource the development of in-reach services for Traveller and Roma women in prison to provide them with information about accommodation and housing, domestic and sexual violence services, health and social protection services, and internal prison complaint mechanisms**

3. High Level Objective 3: Improve Women and Girls' Physical and Mental Health

3.1 Traveller Women's Health- Main Statistics

Research unveils stark health inequalities for Traveller women due to structural inequalities and failure to address the social determinants of health, including poor accommodation conditions, poverty, illiteracy and discrimination. Mortality rates are higher than the general population at all ages and for all causes of death due to the impact of discrimination. In fact, mortality rate for Traveller women is three times the rate of the general population.⁷⁹

- Life expectancy at birth for Traveller women is 70.1 years, 11.5 years less than women in the general population
- Suicide rate for Traveller women is 5 times higher than women in general population
- 62.7% of Traveller women reported their mental health to be poor for one or more days in the last 30 days compared to 19.9% of female General Medical Service Card holders
- Level of complete trust by Travellers in health care professionals is 41% in comparison to 82% by the general population
- 66.7% of service providers agree that discrimination against Travellers occurs sometimes in their use of health services

3.2 Example of Good Practice: Primary Health Care for Travellers Project

There has been significant progress made in increasing Traveller women's access to preventative health care services.⁸⁰ Research shows that this is directly a result of Traveller Primary Health Care Projects (PHCP), which employ Travellers as community health workers to bridge the gap in access, participation and outcomes for Travellers in mainstream health care services. In fact, 83% of Travellers receive their health information and advice from Traveller organisations.⁸¹ The promotion of interculturalism and addressing racism and discrimination are dependent on the energies and limited resources of the Traveller PHCPs and Traveller organisations, as these principles have not been embedded in the policy and practice of health care settings.

3.3 Roma Women's Health

Roma women experience significant structural barriers to accessing primary health care due to lack of sufficient income, high cost of health care, and lack of interpretation and translation services.⁸² Many Roma women, who don't have an income or have difficulties with proving where they live, cannot access means tested Medical Cards (see section 2.4).

- 31.5% of Roma women don't have a General Practitioner (GP)
- 44.6% of Roma women don't have a medical card
- 60% of Roma women report more than 14 days of the previous month when their mental health was not good
- 84% of Roma women have experienced discrimination in health services, versus 53% of Roma men.⁸³

In a quarter of Roma households women have not accessed a doctor or hospital during pregnancy. In 36% of Roma households women have difficulty accessing maternity services, and in 24.6% of households women don't seek medical attention before birth but access a hospital for the first time to give birth. Fear of hospital bills, lack of knowledge of the Maternity and Infant Care Scheme and children being taken into care act as key barriers.⁸⁴

3.4 National Machinery for the Advancement of Traveller and Roma Women's Health

Recommendations in the Traveller Health Strategy 2002-2005 and National Intercultural Strategy 2007-2012 were poorly implemented.⁸⁵ Since then, there has been no targeted strategy or action plan in place to address the health inequalities among Traveller women, and Roma women are excluded from all health related strategies.

The Department of Health National Traveller Health Advisory Committee meetings haven't been convened since 2012 despite calls by Traveller organisations. The Health Service Executive's (HSE) regional Traveller Health Units (THUs) are under resourced and their funding has not been ring-fenced. Some ad hoc initiatives to address Roma health have been developed. However, these are not country wide and do not address the lack of access to medical cards and mainstream health services.⁸⁶ Following on from the successful Primary Healthcare for Travellers Project, a similar project must be developed for Roma.

Actions:

- **Protect and develop the existing Traveller health infrastructure by reconvening the National Traveller Health Advisory Committee by the Department of Health and by increasing, centralising and ring-fencing funding to regional Traveller Health Units and Traveller Primary Health Care Projects**
- **Resource the establishment of a national Roma Primary Health Care Project to act as a referral pathway into mainstream health services**
- **Review legislative and policy restrictions to ensure accessibility of medical cards for Roma women with no income**

-
- **Allocate resources to ensure healthcare staff and GPs will have access to Roma interpreters**
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4. High Level Objective 4: Improve Women and Girls' Participation in Political & Public Life

Traveller and Roma women experience significant exclusion from decision making and wider political processes due to discrimination and marginalisation. Regardless of recommendations by the Advisory Committee on the Framework Convention for the Protection of National Minorities,⁸⁷ CERD,⁸⁸ and former Council of Europe Commissioner for Human Rights,⁸⁹ the State has not adopted positive action measures to improve the representation of Travellers and Roma in political institutions and public affairs.

The UNCESCR raised concerns at the lack of meaningful consultation by the Irish State with civil society in developing and implementing policies and legislation relating to Travellers and Roma.⁹⁰ Consultative mechanisms have emerged in structures devoted to Traveller and Roma issues.⁹¹ However, the role of these committees remains solely advisory in nature without any decision making powers. The consultative mechanisms are also inaccessible for Traveller and Roma women who have low levels of literacy and education, financial resources, and/or who bear childcare responsibilities.

Actions:

- **Adopt quotas for Traveller and Roma women in formal political structures with specific seats in the Seanad, Constitutional Convention and local councils, and reserve seats in local government community engagement structures**
- **Provide additional child care supports for Traveller and Roma women participating in political and public life**
- **Resource the development of mentoring programmes to build and develop the capacity of Traveller and Roma women to represent their communities at local, national and international levels, including engaging effectively with the implementation, monitoring and evaluation of the National Women's Strategy**

5. High Level Objective 5: Advance Women in Leadership

Roles and responsibilities of Traveller and Roma women at home and in society have changed very little due to lack of efforts to address intersectional forms of discrimination experienced by Traveller and Roma women. In the absence of solid alternatives for future economic security and social status, marriage and family formation continue to act as a means to try to escape poverty and achieve social status, particularly for women:⁹²

- 33% of 15–29 year old Travellers were married compared with just 8.2% of general population
- There were 252 married 15-19 year old Travellers of which 91 were males and 161 were females
- 27% of Traveller women had had 5 or more children compared with just 2.6% of women overall
- 13% of Traveller women had had 7 or more children, compared with 0.4% of women generally
- 26.4 % of Traveller households had 6 or more persons compared with only 4.4% of all households in the State

This impacts decisions to leave school early and exposes Traveller and Roma girls to low educational attainment, future unemployment, poverty and social exclusion. The situation creates significant

barriers for Traveller and Roma women to build the skills, capacity and confidence required to engage in leadership.

Austerity measures have severely compromised the capacity of community development programming in facilitating the inclusion and leadership of Traveller and Roma women (see section 1.3). This must be addressed as a matter of priority.

Actions:

- **Adopt and resource special measures in education and employment for Traveller and Roma girls and women, including grants and supports to re-enter the education system and employment**
- **Develop and implement accredited leadership programmes to ensure the development of skills and knowledge necessary to assume leadership positions**

6. High Level Objective V: Reduce Gender-based Violence

6.1 National Machinery to Address Violence against Traveller and Roma Women

The CEDAW and Human Rights Committee have expressed concern at violence experienced by women from marginalised groups, including Traveller and migrant women.⁹³ During Ireland's first National Strategy on Domestic, Sexual and Gender-based Violence (DSGBV) 2010-2014, no targeted actions or funding mechanisms were introduced towards Traveller and Roma women. Ireland's Second National Strategy on DSGBV 2016-2020 contains two Traveller and Roma specific actions but no actions to remove the administrative and financial obstacles to safety and protection experienced by Traveller and Roma women.⁹⁴

6.2 Barriers to Emergency and Long-term Safety and Protection

Traveller and Roma women are placed at further risk of re-victimisation and are highly vulnerable to being forced to remain or return to a violent relationship, or risk becoming homeless. Traveller women account for the largest group in admissions to refuges with 49% of refuge admissions being Travellers and 57% of Traveller women recorded as repeat admissions.⁹⁵ Some refuges reportedly turn away Traveller women who have a large number of children; if their children are too old; and some only admit one Traveller family at a time.⁹⁶ Discrimination and negative experiences in services act as further barriers to seeking help.

Roma and Traveller women who are unable to satisfy their right of residence and the habitual residence condition (HRC) are unable to exit violence and access essential emergency and long-term supports, including public housing, housing benefits or basic income supports (see section 2.4).⁹⁷ Refuges are not always able to accommodate women who are not deemed ordinarily resident in the State.⁹⁸ A number of international human rights bodies have raised concerns about the discriminatory effect of the HRC on Travellers, Roma and victims of domestic violence.⁹⁹ The Joint Oireachtas Committee on Justice, Defence and Equality has recommended a formal exemption to the HRC to account for domestic violence.¹⁰⁰

Actions:

- **Introduce special measures to address the financial and administrative barriers to safety for Traveller and Roma women, particularly in accessing emergency and long-term accommodation and sufficient income**
- **Review the implementation of the HRC (as per the Joint Oireachtas Committee's recommendation) and introduce an exemption to the HRC to ensure Traveller and Roma women experiencing DSGBV who are deemed not to meet the right to reside and habitual**

residence condition can access safety and supports from violence

- **Introduce positive action measures to encourage and enable Traveller and Roma women to be employed as professionals in domestic and sexual violence services in statutory and non-statutory sectors**
- **Resource the undertaking of participatory research to establish the needs, issues and barriers of Traveller and Roma women who experience gender-based violence, including in relation to short, medium and long-term accommodation needs**
- **Develop and resource community-based outreach and referral programmes on DSGBV modelled on the Primary Health Care for Travellers Project**
- **Increase resources to community development programming in Traveller and Roma organisations to engage in primary and secondary prevention of DSGBV, inclusive of undertaking preventative programmes within the communities and capacity building of service providers**

¹ Pavee Point and Traveller Women’s Forum held a consultation in Dublin in November 2016 to feed into a joint shadow report to the UN Committee on the Elimination of all forms of Discrimination against Women.

² Irish Travellers are an indigenous ethnic group in the island of Ireland with shared cultural tradition, practices, beliefs and language. Under international definition, Irish Travellers belong to the umbrella group of ‘Roma’.

³ The draft second National Traveller Roma Inclusion Strategy contains a high level objective on gender equality.

⁴ European Commission, *The 10 common basic principles on Roma inclusion*, 2009; UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); UNCEDAW, *Concluding Comments: Ireland*, CEDAW/C/IRL/CO/4-5, 22 July 2005.

⁵ The Second National Strategy on Domestic, Sexual and Gender-Based Violence is a mere list of actions with no clear objectives, targets, indicators or budgetary lines. This has resulted in significant difficulties with the implementation and monitoring of the Strategy.

⁶ This objective integrates equal and active citizenship and gender equality in decision making.

⁷ UNCRC, 2016 (3); UNCESCR, 2015 (3).

⁸ Irish Human Rights and Equality Commission Act 2014, Section 42.

⁹ At the time of writing this report, the results of Census 2016 have not been yet made available.

¹⁰ Kelleher et al., 2010 (8); Curran, et al., forthcoming in 2017 (9).

¹¹ The following have highlighted Travellers as a vulnerable group in need of targeted social inclusion programmes, but investment has been dismal- Department of the Taoiseach, *Programme for Government 2011-2016*; Department of the Taoiseach, *A Programme for a Partnership Government*, May 2016; Department of Social Protection Social Inclusion Division, *National Action Plan on Social Inclusion 2007-2016, 2007*; Department of the Taoiseach, *Towards 2016: Ten-year Framework Social Partnership Agreement 2006-2015*, 2006.

¹² UNCRC, 2016 (3); UNCESCR, 2015 (3); Daly, M., *Investing in Children: Breaking the Cycle of Disadvantage - A Study of National Policies, Country Report – Ireland*, European Commission, 2014.

¹³ The Commissioner, Nils Muižnieks, conducted a three-day visit to Ireland in November 2016, in <http://www.coe.int/en/web/commissioner/-/ireland-advance-equality-of-travellers-and-women>.

¹⁴ Harvey, B., *Travelling with Austerity: Impacts of cuts on Travellers, Traveller Projects and Services*, Dublin, Pavee Point Publications, 2013. Harvey notes “one can think of no other section of the community which has suffered such a high level of withdrawal of funding and human resources”.

¹⁵ Major health cuts took place already prior to austerity in 2006-2007.

¹⁶ Figures provided by Department of Housing, Planning, Community&Local Government regarding SICAP priorities, Oct 2016.

¹⁷ Sometimes Roma are identifiable through a particular style of dress associated with Roma. This reflects a limited understanding of Roma identity, narrowly linked to dress code and not cognisant of the diversity within the community.

¹⁸ Kelleher et al., *All Ireland Traveller Health Study*, University College Dublin&Department of Health&Children, 2010.

¹⁹ Curran, S., A. Crickley, A., R. Fay, F. Mc Gaughey (eds), *Roma in Ireland - a National Needs Assessment*, Department of Justice and Equality and Pavee Point Traveller and Roma Centre (forthcoming in 2017). The assessment was commissioned by the Department of Justice and Equality in line with recommendation 4.2.3 of the Logan Report, following the removal of two Roma from their families in 2013. The study consisted of quantitative analysis of 108 Roma households (information on 609 household members), and 30 interviews and 8 focus groups with service providers and Roma.

²⁰ Travellers in Prison Initiative, *‘Hearing their Voices’: Traveller Women in Prison*, forthcoming in 2017.

²¹ The cases were also influenced by the case of ‘Maria’ in Greece, which witnessed the removal of a blonde child from a Roma family based on similar prejudice, in Ombudsman for Children, *Garda Síochána Act 2005 (Section 42) (Special Inquiries relating to Garda Síochána) Order 2013, 2014*, <http://specialinquiry.ie/wp-content/uploads/2014/06/Special-Inquiry-July-2014.pdf>.

²² After repeated recommendations by UN treaty monitoring bodies, European institutions, and Irish equality and human rights bodies, the Taoiseach has indicated that Traveller ethnicity would be recognised by the end of January 2017. If announced, we proudly welcome the long waited recognition.

²³ There is no evidence of a systematic and publicly available analysis of the penetration of anti-racist policies in any other strategy or action plan.

²⁴ More Traveller girls are completing formal education in comparison to Traveller boys; no figures are available for Roma girls. The Department of Education and Skills introduced an ethnic identifier at primary level in 2014 and at post primary level in 2016. Data has not yet been made public.

²⁵ Curran, et al., forthcoming in 2017 (10).

²⁶ Economic & Social Research Institute (ESRI), *Growing Up in Ireland Study 2012*, Department of Children and Youth Affairs.

²⁷ Central Statistics Office, *Census 2011 Profile 7- Religion, Ethnicity and Irish Travellers* at 32.

²⁸ Department of Children & Youth Affairs, *State of the Nation's Children: Ireland 2014*, 2014, www.dcyia.ie.

²⁹ Central Statistics Office, *Census 2011 Profile 7- Religion, Ethnicity and Irish Travellers* at 32.

³⁰ Kelleher et al., 2010 (8); Curran, et al., forthcoming in 2017 (9).

³¹ Barnardos, *School Costs Survey 2016*,

<http://www.barnardos.ie/assets/files/Advocacy/2016SchoolCosts/BarnardosSchoolCostsSurveyBriefing2016.pdf>.

³² Pavee Point, *Irish Traveller and Roma Children - Shadow Report: A Response to Ireland's Consolidated Third and Fourth Report to the UN Committee on the Rights of the Child*, 2015, <http://www.paveepoint.ie/document/pavee-point-shadow-report-for-uncrc-on-traveller-and-roma-children/>.

³³ Curran, et al., forthcoming in 2017 (9).

³⁴ Harvey, 2013 (20).

³⁵ Department of Education & Skills, *Organization and current issues - a brief for the information of the Minister for Education and Skills*, 2011.

³⁶ Department of Education and Skills, *Action Plan for Education 2016-2019*,

<http://www.education.ie/en/Publications/Corporate-Reports/Strategy-Statement/Department-of-Education-and-Skills-Strategy-Statement-2016-2019.pdf>.

³⁷ This criterion places a significant barrier for Traveller students as illustrated in the case of Stokes v CBS High School Clonmel. *Stokes -v- Christian Brothers High School Clonmel & anor* [2015] IESC 13, 184/2012

<http://courts.ie/Judgments.nsf/597645521f07ac9a80256ef30048ca52/A09897A48211897980257DF6005A3C31?opendocument>.

³⁸ Kelleher et al., 2010 (8).

³⁹ Education (Admission to Schools) Bill 2016, [No.58 of 2016] <http://www.education.ie/en/The-Education-System/Legislation/Education-Admission-to-Schools-Bill-2016.pdf>.

⁴⁰ Kelleher et al., 2010 (9); Crickley, et al., forthcoming in 2017 (10).

⁴¹ Kelleher et al., 2010 (8); Curran, et al., forthcoming in 2017 (9).

⁴² Ireland has the highest childcare costs in the EU as a percentage of family income, making it inaccessible for many Traveller and Roma women. OECD, *Benefits and Wages: Statistics*, 2014, cited in Irish Human Rights and Equality Commission Submission to the UN Committee on Economic Social and Cultural Rights, June 2015, www.ihrec.ie.

⁴³ Within the context of poor health outcomes for Traveller and Roma women, this fear is not unfounded. Kelleher et al., 2010 (8); Curran, et al., forthcoming in 2017 (9).

⁴⁴ Curran, et al., forthcoming in 2017 (9).

⁴⁵ Central Statistics Office, *Census 2011 Profile 7 Religion, Ethnicity and Irish Travellers*, 2011.

⁴⁶ Kelleher et al., 2010 (8).

⁴⁷ Harvey, B., 2013 (20).

⁴⁸ Under the European Directive 2004/38 every EU citizen has a right of residence in another member state for up to three months. They have a right of residence for more than three months if they: are workers or self-employed in the member state; have sufficient resources for themselves and their families so as not to become a burden on the social assistance system of the host state and have comprehensive sickness insurance cover; are enrolled at a private or public establishment for study purposes and have sufficient resources for themselves and their families so they are not a burden on the social assistance system; or are family members accompanying or joining the Union citizen who satisfies the above conditions as appropriate. European Union (n 137)

⁴⁹ The habitual residence test is intended to evaluate if a person has a connection with the Irish State Department of Social Protection *Habitual Residence Condition*. Available at: <http://www.welfare.ie/en/downloads/sw108.pdf>.

⁵⁰ Curran, et al., forthcoming in 2017 (9).

⁵¹ UNGA, *Report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona*, A/HRC/20/25, 2012, Para 102; European Commission against Racism and Intolerance, *ECRI Report on Ireland Fourth Monitoring Cycle*, CRI (2013)1, 2013, Para 130; CRC, 2015 (1); HRC, 2014 (1); CESCR, 2015 (3).

⁵² State agencies that use PPS numbers to identify individuals include the Department of Social Protection, the Revenue Commissioners and the Health Service Executive (HSE). A PPS number is a unique reference number used to access public services and social protection services in Ireland. Registration of children is a legal requirement and a birth certificate is

necessary to enrol children in school and to apply for a passport. To register a birth, parent/s need photo identification and PPS numbers.

⁵³ Curran, et al., forthcoming in 2017 (9).

⁵⁴ Daly, M., *Investing in Children: Breaking the Cycle of Disadvantage, A Study of National Policies, Country Report – Ireland*, European Commission; European Union, 2014.

⁵⁵ Economic and Social Research Institute (ESRI), *Growing Up in Ireland Study 2012*, Department of Children and Youth Affairs.

⁵⁶ Department of Children and Youth Affairs (2014) *State of the Nation's Children: Ireland 2014*. Dublin: Government Publications. Available at: www.dcy.a.ie

⁵⁷ Kelly et al., *The Irish Health Behaviour in School-aged Children (HBSC) Study 2010* Health Promotion Research Centre National University of Ireland, Galway, 2012, www.nuigalway.ie/hbsc.

⁵⁸ Recommended by: United Nations Committee on the Rights of the Child, *Concluding observations on the combined third and fourth periodic reports of Ireland*, 1 March 2016, UN Doc: CRC/C/IRL/CO/3-4N, para. 70(f).

⁵⁹ The Council of Europe's Commissioner for Human Rights, Nils Muižnieks conducted a three-day visit to Ireland in November 2016. His report is available here <https://mail.google.com/mail/u/0/#inbox/1589c52019b049aa>.

⁶⁰ Under the Housing (Traveller Accommodation) Act 1998 local authorities are obliged to adopt a Traveller Accommodation Programme for their area. 54% of the budget was unspent in 2010, 38% unspent in 2011, 34% unspent in 2012, in Harvey, B., 2013 (20).

⁶¹ The full text of the Decision on Merits in the case will shortly be added to the online database of legal decisions and conclusions under the European Social Charter at <http://hudoc.esc.coe.int/eng#>.

⁶² Central Statistics Office, Census 2011 Profile 7- Religion, Ethnicity and Irish Travellers at 32. A significant number of families in group housing or sites report lack of footpaths, public lighting, fire hydrants and safe play areas, *Kelleher et al., 2010 (8)*. A review of fire safety in 2016 found significant shortcomings in Traveller accommodation units, in National Directorate for Fire and Emergency Management, *Report on Programme to Review and Enhance Fire Safety in Local Authority Provided Traveller Accommodation*, September 2016.

⁶³ Central Statistics Office, 2011.

⁶⁴ Department of Housing, Planning, Community and Local Government, *Traveller Accommodation Statistics Annual Count 2015*, <http://www.housing.gov.ie/housing/special-housing-needs/traveller-accommodation/traveller-accommodation-statistics>.

⁶⁵ Due to increased rents and discrimination in private rented sector, there has been a significant increase of Traveller families leaving private rented accommodation to relocate to Traveller sites that are already overcrowded, unsafe and inhabitable.

⁶⁶ National Drug Treatment Reporting System (NDTRS) 2007-2013, cited in Pavee Point Traveller and Roma Centre, *Submission to Department of Justice and Equality: National Substance Misuse Strategy*, 2015, <http://www.paveepoint.ie/wp-content/uploads/2015/04/drugssubmission.pdf>.

⁶⁷ O'Doherty, C., F. ÓCionnaith, S. Rogers, 'Travellers in carpark 'sad indictment of society'', *Irish Examiner*, 22 Oct 2015, <http://www.irishexaminer.com/ireland/travellers-in-carpark-sad-indictment-of-society-360721.html>.

⁶⁸ RTE News, 'Traveller families say they have been told to leave Dundalk retail park site', 25 March 2016, <http://www.rte.ie/news/2016/0325/777437-traveller-families-dundalk/>.

⁶⁹ Holland, K., 'No comment: Offices and official mute on Traveller controversy', *The Irish Times*, 23 January 2016, <http://www.irishtimes.com/news/social-affairs/no-comment-offices-and-officials-mute-on-traveller-controversy-1.2507438>.

⁷⁰ Pavee Point, *Challenging Barriers and Misconceptions: Roma Maternal Health in Ireland*, 2014.

⁷¹ To access homeless services a household must present to the relevant Housing Authority within whose functional area they reside. There is a requirement to prove that you have become homeless in the local authority area in which you are presenting as homeless. Curran, et al., forthcoming in 2017 (9); Focus Ireland and Immigrant Council of Ireland (2011) *Homeless in my new home · Migrants' experiences of homelessness in Dublin: executive summary*, 3, <http://www.d1037607.cp.blacknight.com/live/files/homeless%20in%20my%20new%20home%20-%20executive%20summary%20lr.pdf>.

⁷² This has been communicated by the Department of Justice as part of the consultation process for Ireland's second National Traveller Roma Integration Strategy.

⁷³ Irish Prison Service cited in Travellers in Prison Initiative, http://ssgt.ie/travellers_in_prison.html.

⁷⁴ Kelleher et al., 2010 (8).

⁷⁵ Irish Independent, 'Women's prisons over capacity as inmates committed for minor offences, warns Irish Penal Reform Trust', 21 November 2013, <http://www.independent.ie/irish-news/womens-prisons-over-capacity-as-inmates-committed-for-minor-offences-warns-irish-penal-reform-trust-29773032.html>.

⁷⁶ Travellers in Prison Initiative, (10).

⁷⁷ Irish Prison Service and The Probation Service, *Joint Irish Prison Service & Probation Service Strategic Plan 2015-2017*, http://www.irishprisons.ie/images/pdf/jointstrat_english.pdf.

⁷⁸ Irish Penal Reform Trust, 2014.

⁷⁹ Kelleher et al., 2010 (8). 188 Travellers died in 2008, but only 54 should have died if they had the same health experience as the general population. This means there was 134 unnecessary Traveller deaths in 2008.

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- ⁸⁰ Traveller women now access Accident and Emergency departments less often than Traveller men. Kelleher et al.,2010 (8).
- ⁸¹ Traveller PHCPs are the second most important source of health information for Travellers, just after General Practitioners
- ⁸² The difficulty to access medical cards is directly linked to lack of access to social protection and inability to prove their means. Curran, et al., forthcoming in 2017 (9).
- ⁸³ Curran, et al., forthcoming in 2017 (9).
- ⁸⁴ Pavee Point, *Challenging Barriers and Misconceptions, Roma Maternal Health in Ireland*, 2014.
- ⁸⁵ Health Service Executive, *National Intercultural Health Strategy 2007-2012*, 2008, https://www.hse.ie/eng/services/Publications/SocialInclusion/National_Intercultural_Health_Strategy_2007_-_2012.pdf.
- ⁸⁶ Roma specific health initiatives include a free GP service in Tallaght Roma Integration Project (TRIP), Capuchin Centre and Crosscare in Dublin, Low Threshold Clinic in Limerick, and GPs who provide free services from goodwill.
- ⁸⁷ Advisory Committee on the Framework Convention for the Protection of National Minorities, 2012.
- ⁸⁸ CERD, 2005 and 2011 (3).
- ⁸⁹ Council of Europe, *Report by the Commissioner for Human Rights Mr. Thomas Hammarberg on His Visit to Ireland, Strasbourg*, 2008, https://wcd.coe.int/ViewDoc.jsp?p=&id=1283555&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679&direct=true#P402_100717&direct=true.
- ⁹⁰ CESCR, 2015 (3).
- ⁹¹ These include National Traveller Roma Integration Steering Committee, National Traveller Accommodation Consultative Committee, Local Traveller Accommodation Consultative Committees, Traveller Education Strategy Advisory and Consultative Forum, and the Traveller Health Advisory Committee.
- ⁹² Kelleher et al.,2010 (8); Pavee Point, *Violence against Roma Women: 9 Principles to Human Rights-based and Gender-responsive Approach to Protection*, 2015.
- ⁹³ UNCEDAW, *Concluding Comments: Ireland*, CEDAW/C/IRL/CO/4-5, 22 July 2005; UN Human Rights Committee, 2014.
- ⁹⁴ Action 2.1000 aims to improve confidence in how An Garda Síochána manages domestic and sexual violence in communities such as Travellers and Roma; Action 2.1100 is for Tusla Child and Family Service and Health Service Executive to develop interventions on DSGBV in communities of particular vulnerability, including Traveller and Roma. Department of Justice and Equality and Cosc, *Action Plan: Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021*, <http://www.cosc.ie/en/COSC/2nd%20Nat.%20Strategy%20AP.pdf/Files/2nd%20Nat.%20Strategy%20AP.pdf>.
- ⁹⁵ Based on the results from Census 2002, 0.6% of the Irish population are members of the Traveller community, in Watson, D., and S.,Parsons, *Domestic Abuse of Women and Men in Ireland*, National Crime Council and The Economic and Social Research Institute, 2005. The Women's Health Council reports that 37% of women accessing refuge identified themselves as Travellers, The Women's Health Council, *Translating Pain Into Action: A study of Gender-based Violence and Minority Ethnic Women in Ireland*, 2009.
- ⁹⁶ This has been continuously reported to Traveller organisations by local Traveller groups and individuals and was highlighted during the national CEDAW consultation held in Nov 2016.
- ⁹⁷ The right to reside (European Directive 2004/38) and habitual residence condition (HRC) can create additional barriers to seek support and exit violence, particularly for Roma women who experience abuse. See section 8 of this report for information about the right to reside (European Directive 2004/38) and habitual residence condition.
- ⁹⁸ Women's Aid, *Women's Aid input into FLAC Shadow Report under the International Covenant on Economic, Social and Cultural Rights*, 2014, https://www.womensaid.ie/download/pdf/womens_aid_input_to_flac_icescr_shadow_report_may_2014.pdf.
- ⁹⁹ UNGA, 2012(63); European Commission against Racism & Intolerance, 2013 (63); CRC, 2015; HRC, 2014; CESCR, 2015 (3).
- ¹⁰⁰ Joint Oireachtas Committee on Justice, Defence and Equality, Report on Hearings on Domestic and Sexual Violence, 2013, <http://www.oireachtas.ie/parliament/mediazone/pressreleases/name-24774-en.html>.