



PAVEE POINT
TRAVELLER AND ROMA CENTRE

Submission to Department of Children, Equality, Disability, Integration and Youth

Statement of Strategy

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Introduction

Pavee Point Traveller and Roma Centre ('Pavee Point') welcomes the opportunity to make this submission to the Department of Children, Equality, Disability, Integration and Youth ('the Department') as it prepares its forthcoming Statement of Strategy.

Pavee Point has been working to challenge racism and promote Traveller and Roma inclusion in Ireland since 1985. The organisation works from a community development perspective and promotes the realisation of human rights and equality for Travellers and Roma in Ireland. The organisation is comprised of Travellers, Roma and members of the general population, who work together in partnership to address the needs of Travellers and Roma as minority ethnic groups experiencing exclusion, marginalisation and racism. The central aim of Pavee Point is to contribute to the improvement in the quality of life and living circumstances of Irish Travellers and Roma.

As minority ethnic groups, Travellers and Roma are among the most marginalised and excluded individuals and groups in Ireland. The Irish Human Rights and Equality Commission (IHREC), in its 2019 submission to the United Nations Committee on the Elimination of Racial Discrimination, said that:

Travellers continue to experience systemic discrimination in Irish society and face significant barriers to the enjoyment of the rights to healthcare, adequate and culturally appropriate housing, education, and decent work. Negative stereotypes of Travellers in public discourse reinforce barriers to public services and exacerbate the disadvantages they face.ⁱ

They also referenced findings of the *National Roma Needs Assessment*, conducted with Roma in Ireland. They said:

It reported high levels of discrimination faced by Roma on the street or other public settings (81% of respondents) when accessing social welfare (84%) and in shops, restaurants, pubs, or other social venues (74%). This report highlighted that Roma women are particularly vulnerable to on-street racism, including because of their identifiable and traditional dress.ⁱⁱ

The stark health inequalities, poor accommodation conditions, poverty, low educational attainment and literacy levels, high levels of unemployment and intersectional forms of discrimination and racism faced by Travellers and Roma are well documented. Yet, action to address these issues has been too slow. (Please see Appendix I and II for key facts and figures on Travellers and Roma.)

The Statement of Strategy undertaken by the Department of Children, Equality, Disability, Integration and Youth (CEDIY) has the potential to address the inequalities faced by Travellers and Roma. While the Programme for Government contains a number of important commitments in regards to advancing the rights and opportunities available to Travellers and Roma,¹ in this submission we reference only those actions, and other past commitments, under the remit of the Department of CEDIY. Our submission also includes general principles for effective inclusion which we believe should underpin all strategies and actions of the Department and agencies within its remit. We urge the Department to adopt our recommendations in its Statement of Strategy.

¹ Including: implementing a National Traveller Health Action Plan; developing a National Traveller Education Strategy, including a plan to improve access to Higher Education for members of the Traveller Community; ensuring that the housing needs of the Traveller Community are met by local authorities and ensuring that existing funding is fully drawn down and utilised; publishing a Traveller and Roma Mental Health Action Plan.

Specific recommendations for Statement of Strategy

NATIONAL TRAVELLER & ROMA INCLUSION STRATEGY (NTRIS) 2017-2021

Implementation of the NTRIS - the main policy to drive Traveller and Roma inclusion - has been slow. The Strategy contains no clear targets, indicators, outcomes, timeframes or associated budget lines, and a 'whole of Government' approach that would see driving its implementation by all state departments and with senior level participation has not materialised. A number of international human rights bodies have called on the State to place more effort on concrete implementation of the NTRIS by adopting a clear implementation plan and putting in place a mechanism to coordinate and monitor its implementation. Further measures are also needed to ensure direct targeting of Travellers and Roma in all other existing strategies relevant to the social, economic and cultural inclusion of Travellers and Roma.

Ireland's second iteration of the NTRIS, which must be submitted to the European Commission in 2021, presents an opportunity to make real progress on equality, inclusion and participation.

1. To significantly and immediately step up implementation of the NTRIS through adequately resourced actions by all Government Departments involved, with the actions taken in full consultation with Traveller and Roma organisations.
2. Strengthen the existing implementation and monitoring of the NTRIS by adopting clear targets, indicators, outcomes, timeframes and budget lines for the Strategy.
3. To ensure priority NTRIS actions are implemented: Publication and implementation of the National Traveller Health Action Plan (action 73) and Traveller Education Strategy (action 11).
4. Ensure direct targeting of Travellers and Roma in all other existing state strategies relevant to the social, economic and cultural inclusion of Travellers and Roma
5. As part of the new NTRIS, develop a comprehensive Traveller and Roma Training, Employment and Enterprise Plan.

NATIONAL STRATEGY FOR WOMEN AND GIRLS (NSWG) 2017-2020

While we have welcomed the inclusion of actions related to Traveller and Roma women in the NSWG we regret that to date the implementation of the Strategy has been slow. The recent development of a joint implementation plan for gender actions in the NTRIS and NSWG to address this issue has been positive. However, the implementation plan needs further strengthening with clear gendered targets, robust resources and prioritising by key agencies. Actions across thematic areas of accommodation, education, employment and violence against women need urgent prioritisation and resourcing in order to address the social determinants of Traveller and Roma women's health.

6. Develop a robust implementation plan for actions related to Traveller and Roma women in the NSWG, and implement the gendered actions in the NTRIS and NSWG in a coordinated and consistent way with one another and in line with Public Sector Equality and Human Rights Duty under Section 42 of the Irish Human Rights and Equality Commission Act 2014.

NATIONAL ACTION PLAN AGAINST RACISM (NAPR)

Since our founding, Pavee Point has recognised Travellers' experience of discrimination as racism. We believe that the particular forms of racism experienced by Travellers and Roma here and throughout the EU need to be directly named and addressed in the forthcoming NAPR. The Plan needs to be practical, and deal with current issues (e.g. COVID-19 related ones) as well as historical gaps. It needs to be developed in a timely fashion through a process inclusive of all affected groups and recognising intersectionality with other oppressions.

Leadership and support from the Minister and Department will be crucial in ensuring timely completion of the ARC's work with timelines, targets and associated monitoring mechanisms, as well as allocation of essential resources to civil society groups, including Traveller groups, addressing discrimination.

7. Develop a new National Action Plan Against Racism that is inclusive of Travellers and Roma; that addresses institutional and structural racism; is afforded robust implementation and monitoring framework and resources and builds on the legacy of NAPR 2005-2008.

COVID-19 AND TRAVELLERS & ROMA

The COVID-19 pandemic has had a disproportionate impact on Travellers and Roma with the rate of testing positive for COVID-19 being significantly higher than the national figure. Following the essential public health messages – of handwashing, social distancing and self-isolating – is simply not possible for the many Travellers and Roma who live in poor and overcrowded conditions and who may have no access to running water. This is particularly the case for the up to 15% of Travellers who are homeless, with many 'doubling or tripling up' in the yards of extended family members.

Many Roma are particularly vulnerable during this crisis given the legal status of some Roma in Ireland, the lack of a Roma health or community development infrastructure and the lack of dedicated staff and competence to address Roma issues within many public services and NGOs. These issues were compounded by significant barriers in accessing basic health services due to lack of sufficient income, lack of access to GP and medical cards and lack of interpretation and translation services. Many Roma fall between two stools - being actually homeless while not officially being recognised as homeless due to the application of the Circular 41/2012 and the Habitual Residency Condition. This, alongside the loss of what were always precarious jobs, the inability to beg during the lockdown and the lack of PPSNs which facilitate access to state services, meant many vulnerable Roma required emergency and humanitarian supports. Sometimes these were forthcoming but there was no consistent national approach to these problems. Too often it depended on the goodwill and discretion of people, the capacity of people advocating on their behalf and the follow-up potential of some medical personnel who were already overworked.

There is a concern that during the pandemic many Travellers and Roma did not have access to vital primary care services, including screening and referral pathways for secondary diagnostics and treatment. This has further marginalised Travellers and Roma from the health system. It is imperative that positive action measures are undertaken to mitigate this and to prevent further widening of health inequalities.

8. Travellers and Roma continue to be prioritised under COVID-19 measures.
9. Funding for national Traveller organisations needs to be increased in line with their increased responsibilities and workload due to COVID-19.
10. The National Traveller Partnership, which is a conduit for funding, needs to now include new Traveller organisations/community development projects in regions of the country where none exist and there is a sizeable Traveller population.
11. Funding should be provided through NTRIS for community development projects for Roma in areas where there is a sizeable Roma population.

TRAVELLER POLICY UNIT

We welcome the establishment of the new department and the fact that it will take responsibility for coordinating Traveller policy. We were concerned when the dedicated Traveller Policy Unit was dismantled during the reorganisation of the Department of Justice and Equality last year. We feel that this weakened the priority and attention given to Traveller and Roma inclusion.

12. Consideration should be given to the establishment of a Traveller Policy Unit in the new Department.
13. Appointment of a dedicated senior official responsible to drive the implementation of the NTRIS.

INCITEMENT TO HATRED ACT

Roma and Travellers are subjected to hate crime and speech on a daily basis by private and public actors. The commitment in the Programme for Government to revise and update the Incitement to Hatred Act 1989 – widely recognised as inadequate – is welcomed.

14. As a matter of urgency, in partnership with the Department of Justice and Equality, develop and enact effective and comprehensive hate speech and hate crime legislation that include Travellers and Roma in their protections.

IMPLICATIONS OF THE HABITUAL RESIDENCE CONDITION (HRC)

Habitual residence is a condition which applicants must satisfy in order to qualify for certain social welfare assistance payments. Habitual residence essentially means an applicant must be able to prove a close link to Ireland. The application of HRC is having a disproportionate and devastating impact on Travellers and Roma in Ireland and raising serious human rights concerns. This arises in a number of ways: Travellers who are living a nomadic lifestyle may move between the UK and Ireland, and application of the HRC to the Common Travel Area will have a disproportionately negative impact, even though the movement by Travellers does not reflect an intention to relinquish ties to Ireland. The HRC guidelines make no provision for nomadism, and no consideration that Travellers and Roma may not in fact live in permanent housing. The restriction on benefits and services for people without what the state deems 'habitual residence' is resulting in families and children unable to access disability benefits, child benefits and supports available to other children and families. Many families living in Ireland experience serious hardship as a result, with consequences such as school non-attendance and effectively being forced into begging.

15. The possibility that some people may be denied services on the basis of not meeting the HRC conditions is of critical importance, and must be reviewed as a matter of urgency by the Department.
16. The Department must ensure a rights-based system of access to services, irrespective of the existence or otherwise of the HRC. Non-compliance with HRC criteria must not be a basis for exclusion from services. This rights-based approach needs to be explicitly stated in the Statement of Strategy.

NEEDS ANALYSIS AND EVIDENCE-BASED POLICIES

17. The differences in demography between the majority population and Traveller and Roma communities are important to highlight in the planning of future services, and must be taken into consideration in any needs analyses which will give rise to future planning of services. In particular, the findings of the *All Ireland Traveller Health Study (AITHS)* and *Roma Needs Assessment* must be core to these considerations.

Principles for effective inclusion

Pavee Point holds that any strategy must be underpinned by an inter-cultural approach and by principles of equality, diversity and anti-racism. Delivering services based on equality does not mean treating people the same, but designing and implementing programmes that are inclusive, culturally appropriate, and lead to better outcomes for disadvantaged groups, including Travellers and Roma. The principles outlined below should underpin all elements of the Department's Statement of Strategy.

DECISION-MAKING AND OVERSIGHT

Oversight and input into decision-making by Traveller and Roma representative organisations must be a fundamental principle in the Statement of Strategy, and in directives issued to agencies within the remit of the Department.

18. Given the extent of disadvantage and marginalisation experienced by Travellers and Roma, it is imperative that all structures established by and in the Department include the participation of Traveller and Roma representative organisations.
19. Working groups should be established around issues of positive action, equality, and inter-culturalism, with mandatory inclusion of Traveller and Roma organisations, as part of the actions and objectives established under the new Statement of Strategy.

CONSULTATION

A 'one size fits all' approach is not sufficient to account for the diversity of situation, experience and identity of Travellers and Roma in Ireland.

20. For all consultation mechanisms proposed, specific engagement must take place with the Traveller and Roma communities, and this engagement should be developed and designed alongside Traveller and Roma organisations.
21. A process of consultation with Travellers and Roma in Ireland should be undertaken on an ongoing basis, at key junctures in the development and implementation of the Statement of Strategy, in addition to the participation of Traveller and Roma representatives on formal decision-making structures established.

EQUALITY IMPACT ASSESSMENT

The process of developing a Statement of Strategy must take into account specific cultural needs of relevance to marginalised and ethnic groups, such as Travellers and Roma.

22. We strongly recommend that mandatory equality impact assessment and equality proofing of the Department's Statement of Strategy, as well as all other strategies, policies and action plans take place. This would establish the potential impact (positive and negative) of strategies and policies on Travellers and Roma with regard to achieving equality of outcome.
23. All equality proofing and impact assessment measures should be overseen by a steering or working group comprised of stakeholders, including Traveller and Roma organisation representatives and staff of the Department (including senior management), and it should be resourced by staff members. The Department should ensure that agencies and organisations within its remit also undertake this measure.

ETHNIC IDENTIFIER AND DATA COLLECTION

Ethnic equality monitoring, and the roll out of an ethnic identifier across all routine administrative systems, is required to monitor access, participation and outcomes for Travellers and Roma (and other minority ethnic groups). Ethnic and gender disaggregated data is critical to informing policy decisions, combatting discrimination and advancing social inclusion. Without such data, government departments will continue to operate within a vacuum, lacking accurate and reliable information to develop and plan cost-effective and evidence-based policies. Ethnic equality monitoring is government policy, however, it has not been prioritised and/or systematically rolled out across all routine administrative systems.

Without disaggregated data, it will not be clear how Travellers or Roma are progressing in all provisions within the Statement of Strategy. If an ethnic identifier was introduced, it would enable the monitoring and assessment of the effectiveness of initiatives directed at Travellers and Roma.

24. Pavee Point recommends that the Department implement and rollout mandatory ethnic equality monitoring, including an ethnic identifier, in all thematic areas, organisations, and actions within its remit, in line with human rights standards.
25. Data must be analysed and provided to relevant stakeholders, in a uniform way, within an appropriate timeframe.
26. The implementation of ethnic identifiers must take place in partnership with Traveller and Roma organisations which have developed models and training for their implementation.

TEN COMMON PRINCIPLES ON ROMA INCLUSION

27. We recommend that all work with Traveller and Roma communities should be underpinned by the ten common basic principles on Roma inclusion adopted by the European Commission,ⁱⁱⁱ and that they underpin the strategic and operational activities of the Department and agencies within its remit.

RECRUITMENT AND MONITORING

28. As part of the recruitment process of staff across the Department and agencies within its remit, criteria for employment, and reflected as an essential skill in job descriptions, should be a commitment to an anti-racist and equality perspective.
29. The performance management system for staff in the public sector (PMDS) should include wider criteria in their measurement of performance to include outcomes in terms of progressing equality for Travellers and Roma in Ireland.
30. Given the importance of adopting principles of inter-culturalism and equality, we urge the Department and agencies within its remit to target the employment of Travellers and Roma in all future recruitment processes. This would enhance the capacity of the Department and include the expertise of these communities.

POSITIVE ACTION PROGRAMME

Travellers and Roma are the most marginalised groups in the labour market, with barriers experienced including literacy confidence, educational qualifications, and prejudice and racism.

31. We recommend that a positive action programme with respect to any future employment opportunities for Travellers and Roma should be a key policy for the Department and actions arising from its Statement of Strategy.
32. As part of this, Recognition of Prior Learning (RPL) needs strengthening, and any unnecessary barriers or entry requirements for employment are removed, as there is a risk that such provisions may lead to undermined access to employment for Travellers and Roma.

TRAINING

There is a need for departmental staff, and staff of associated agencies, to be fully aware of the context in which Travellers and Roma live in Ireland.

33. Anti-racism and cultural awareness training should be provided, participation be mandatory, and be repeated at regular intervals for all staff. Such training should include provisions on the experience, situation and identity of Travellers and Roma in Ireland, as well as the policy dimension and how these affect Travellers and Roma.

POSITIVE DUTY

All public bodies in Ireland have a legal obligation to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans.

34. The actions proposed in this submission could – if implemented – demonstrate how the Department is meeting its positive duty, and should be adopted in order to demonstrate this legal obligation.

Appendices: Travellers and Roma in Ireland

Appendix I: Traveller Key Facts and Figures

Irish Travellers are an indigenous minority ethnic group in Ireland. Under international definition, Irish Travellers belong to the umbrella group of 'Roma'. There are a little over 36,000 Travellers in Ireland, representing less than 1% of the Irish population.

AITHS Key Findings: Health^{iv}

- 134 excess Traveller deaths per year
- Infant mortality rate for Travellers is 3.7 times the national rate (14.1 per 1,000 live births compared to 3.9 per 1,000 live births) and 2.8 times the EU average
- Life expectancy at birth for male Travellers is 15.1 years less than males in the general population, and 11.5 years less for female Travellers than females in the general population
- 42% of Travellers under 15 years of age compared with 21% of the general population
- 63% of Travellers under 25 years of age compared with 35% of the general population

No new core development funding has been allocated to Traveller health since 2008

Census 2016: Education^v

- 13% of Travellers complete secondary education in comparison with 92% of the general population.
- 57.2% of Traveller males were educated to primary level at most, compared with just 13.6% of the general population
- Less than 1% of Travellers go on to third level education

-86.6% cuts were made to Traveller education during austerity. A National Traveller Education Strategy needs to be published and implemented

Key Findings: Accommodation^{vi}

- Nearly 40% of Traveller households had more persons than rooms compared with less than 6% of non-Traveller households
- Traveller overcrowding 7 times the national rate
- 15% of all Travellers are homeless; the equivalent to 709,632 people in the general population^{vii}
- Approximately 1,700 Travellers live on the roadside without basic facilities^{viii}

Almost half of the Traveller accommodation budget given to local authorities by the government was sent back unspent in 2019

Key Findings: Discrimination

- Travellers are 10 times more likely than White Irish to experience discrimination in seeking work^{ix}
- Travellers are over 22 times more likely than White Irish to report discrimination in shops, pubs and restaurants^x
- 80.2% of Travellers are unemployed (Census, 2016)
- Estimated 15% of Travellers are homeless (DoHPLG annual count)
- 13% of Travellers complete secondary education in comparison with 92% of the general population^{xi}
- 40% of Travellers experience discrimination in accessing health services^{xii}

Appendix II: Roma Key Facts and Figures^{xiii}

An estimated 5,000 Roma live in Ireland, many of whom are second and third generation in the country. The vast majority (61%) of Roma in Ireland speak Romani, followed by Romanian at 14.3%, Czech at 10.4%, English at 9.7% and Slovakian at 4.5%. The implementation of EU Directive 2004/38 and state policy (Habitual Residence Condition) leaves many Roma outside the social protection system and, thus, vulnerable to poverty and social exclusion.

Health

- Over 1 in 3 (38.9%) of Roma do not have a GP
- Half of Roma do not have a medical card
- Almost 1 in 4 (22.5%) Roma reported having diabetes
- 24% of women do not access health services while pregnant

Poverty

- 1 in 4 Roma children (25%) have gone to school hungry
- Almost half (49.5%) of Roma reported not always having enough food
- 83% of Roma are unemployed
- Almost 1 in 5 Roma reported begging as a source of income (17.6%) and no income (14%)
- Nearly 1 in 2 (49.2%) households with children were not successful in their application for social protection payments, which means they were not receiving the child benefit
- 57.5% report not having enough money for school books and uniforms

Accommodation

- 6.6% of Roma report to be currently homeless and almost half (45.7%) have been homeless at some stage
- 1 in 5 Roma (24%) lived in households of 8 or more people
- Almost half (44.8%) of Roma did not have enough beds in their accommodation
- Almost 1 in 10 (7.3%) Roma live in households with 10+ people
- Facilities: No kitchen (12.4%); No cooker (9.6%); No fridge (13.5%); Cannot keep the house warm (66.3%)

Discrimination

- 78.9% of Roma feel discriminated in getting a job
- 93.3% feel discriminated in getting accommodation
- 84.4% feel discriminated in getting social welfare
- 81.1% feel discriminated in a public setting

ENDNOTES

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- ⁱ “Ireland and the Convention on the Elimination of Racial Discrimination: Submission to the United Nations Committee on the Elimination of Racial Discrimination on Ireland’s Combined 5th to 9th Report,” Irish Human Rights and Equality Commission, October 2019, https://www.ihrec.ie/app/uploads/2019/11/IHREC_CERD_UN_Submission_Oct_19.pdf, 8.
- ⁱⁱ “Ireland and the Convention on the Elimination of Racial Discrimination: Submission to the United Nations Committee on the Elimination of Racial Discrimination on Ireland’s Combined 5th to 9th Report,” 37.
- ⁱⁱⁱ “The 10 Common Basic Principles on Roma Inclusion,” Council of Europe, 2010, <https://op.europa.eu/en/publication-detail/-/publication/7573706d-e7c4-4ece-ae59-2b361246a7b0>
- ^{iv} “Summary of Findings,” Our Geels All Ireland Traveller Health Study, September 2010, https://www.ucd.ie/t4cms/AITHS_SUMMARY.pdf
- ^v “Technical Report 1: Health Survey Findings,” Our Geels All Ireland Traveller Health Study, September 2010, <https://assets.gov.ie/18860/acc3cfe37d1e4b67a53f7da58eacc725.pdf>
- ^{vi} <http://www.cso.ie/en/csolatestnews/pressreleases/2017pressreleases/presstatementcensus2016resultsprofile8-irishtravellersethnicityandreligion/>
- ^{vii} Department of Housing, Planning and Local Government (2018) Total Number of Traveller Families in all categories of Accommodation. Dublin: Department of Housing, Planning and Local Government
- ^{viii} Department of Housing, Planning and Local Government (2018) Total Number of Traveller Families in all categories of Accommodation. Dublin: Department of Housing, Planning and Local Government
- ^{ix} McGinnity, F., R. Grotti, O. Kenny and H. Russell, *Who experiences discrimination in Ireland?: Evidence from the QNHS Equality Modules*, Irish Human Rights and Equality Commission and Economic and Social Research Institute, 2017, <https://www.ihrec.ie/app/uploads/2017/11/Who-experiences-discrimination-in-Ireland-Report.pdf>.
- ^x Ibid.
- ^{xi} <http://www.cso.ie/en/csolatestnews/pressreleases/2017pressreleases/presstatementcensus2016resultsprofile8-irishtravellersethnicityandreligion/>
- ^{xii} Kelleher et al. *All Ireland Traveller Health Study*, 2010.
- ^{xiii} All data from: “Roma in Ireland – A National Needs Assessment,” Pavee Point Traveller and Roma Centre & Department of Justice and Equality, 2018, <https://www.paveepoint.ie/wp-content/uploads/2015/04/RNA-PDF.pdf>