



**National Traveller Women's Forum,
4-5 Eustace Street, Dublin 2
Phone: +353 (0) 1 6727430**

Email: ntwf@iol.ie Website: www.ntwf.net

CEDAW (List of Issues) 2015

Submission to the Pre-Sessional Working Group of the Committee on the Elimination of Discrimination Against Women (CEDAW) (23-27 November 2015)

Suggested List of Issues for Ireland 09 October 2015

Reporting Organisation:

The National Traveller Women's Forum is the National Network of Traveller women and Traveller women's organisations from throughout Ireland. We recognise the particular oppression of Traveller women in Irish society and are working to address this issue through the provision of opportunities to Traveller women to meet, share experiences, ideas and develop collective strategies and skills to work towards the enhancement of their position in society.

Traveller women's experience of inequality and discrimination differs to that of the majority population or other minority groups, as is their experience of racism and discrimination is different to Traveller men. The needs of Traveller women may not be met by responses and strategies designed to confront and tackle gender inequality or ethnic discrimination alone, i.e. without an examination of the interaction of ethnic disadvantage/discrimination. Acknowledging and addressing this experience is central to outcomes for Traveller women, as the experience of a Traveller woman will sometimes be distinctive because she is a woman, sometimes because she is a Traveller, and sometimes because she is both.

1. Denial of Identity – A Contemporary Form of Racism

In 2004 the Government asserted that Travellers “do not constitute a distinct group from the population as a whole”.¹ This was in contradiction to previous positions taken by Government particularly with regard to supporting the inclusion of Travellers both as participants at the World Conference Against

¹ First National Report by Ireland to UN International Convention on the Elimination of all Forms of Racial Discrimination. 2004 <http://daccessdds.un.org/doc/UNDOC/GEN/G04/423/21/PDF/G0442321.pdf?OpenElement>

Racism and in its outcome documents. The denial of Traveller identity represents a contemporary form of isolationism and racism as identified by the UN Special Rapporteur on Contemporary Forms of Racism, “ *the most significant manifestations of racism, racial discrimination, xenophobia and related intolerance include the rejection of diversity... the promotion of pluralism, as a factor fostering the recognition, respect, and protection of diversity*”². The Irish Government’s assertion has the potential to undermine any progress made in the development of policies and programmes to promote Traveller women’s identity and protect their rights.

Travellers and Traveller organisations have consistently lobbied for the recognition of Traveller Ethnic status and have met a determined and entrenched negative opposition in the Irish State. This lack of acknowledgement and recognition by the state of the ethnic status of Travellers has implications for Traveller women in the formulation and implementation of government policy and for the participation by Traveller women in the development of that policy. It also means Traveller women do not have full access to protections afforded under European or international human rights legislation and their experience of racism and discrimination across all aspects of their lives means they cannot enjoy on an equal footing key fundamentals such as accommodation, education, health, economic and political life. Finally this entrenched position does have a detrimental effect on the sense of self-worth and sense of identity for many young Travellers in a state that does not appreciate, reflect or acknowledge their ethnicity. April 2014 saw the first significant progress in this area when the Joint Oireachtas Committee on Justice presented their Report on Traveller Ethnicity, which recommended the recognition of Travellers by the Taoiseach or Minister for Justice and Equality by way of a statement in Dáil Éireann. The Report also called for the Government to notify international bodies about the recognition, and finally suggested that the Government build on these actions to create a dialogue with Traveller representative groups about new legislation or required amendments. We are yet to see an advance on these recommendations although the dialogue has reopened.

NTWF respectfully suggest that the CEDAW Committee ask the State:

What is the barrier to recognising Travellers as a minority ethnic group?

2. National Traveller Roma Inclusion Strategy

It is essential that there is strong analysis of gender issues and prioritisation of gender specific actions to ensure the revised Traveller Roma Inclusion Strategy delivers equality for Traveller and Roma women. Traveller women’s experience of inequality and discrimination differs to that of the majority population or other minority groups, as is their experience of racism and discrimination different to Traveller men. The needs of Traveller women may not be met by responses and strategies designed to confront and tackle gender inequality or ethnic discrimination alone, i.e. there needs to be an examination of the interaction of ethnic disadvantage/discrimination.

² Racism, racial discrimination, xenophobia and all forms of discrimination: Report by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène. 2004[http://www.unhcr.ch/huridocda/huridoca.nsf/0/B5DF9F41C92D7CD8C1256E630051E913/\\$File/G0410476.doc?OpenElement](http://www.unhcr.ch/huridocda/huridoca.nsf/0/B5DF9F41C92D7CD8C1256E630051E913/$File/G0410476.doc?OpenElement)

NTWF respectfully suggest that the CEDAW Committee ask the State:

Identify how it will ensure that there is a strong analysis of gender issues and prioritisation of gender specific actions within the revised Traveller Roma Inclusion Strategy to ensure it delivers equality for Traveller and Roma women.

3. The National Women's Strategy

Traveller women (and the gender inequality they experience) are invisible in the National Women's Strategy 2007 - 2016. In the 20 objectives which drive the implementation of the women's strategy not one makes reference to the particular experiences of Traveller women.

The CERD co-ordinator in his follow up report on the Irish Governments combined third and fourth report to UNCERD expressed "*regret that multiple discrimination is not acknowledged in the national women's strategy as a barrier to the integration of female Travellers and ethnic minorities*". The NTWF would very much mirror this regret and express major concern that the National Women's Strategy 2007 – 2016 contains no measures to address the three fold oppression and racism experienced by Traveller women as women, as Travellers and as Traveller women.

NTWF respectfully suggest that the CEDAW Committee ask the State:

- **Please provide detailed information about the cross departmental implementation of the National Women's Strategy, in ensuring a coherent approach to gender equality in line with Convention?**
- **Please provide detailed information on the current monitoring and evaluation process of National Women's Strategy 2007-2016 and the steps taken to initiate an independent evaluation of its implementation?**
- **What steps have been taken to commence negotiations on the development of a new National Women's Strategy post 2016??**
- **How will the state ensure that Traveller women's issues and concerns are central to a new National Women's Strategy?**

4. Disaggregated Data

An important mechanism for assessing and monitoring the situation for Traveller women is and will be through effective data collection and proofing mechanisms. Certain progress has being made in data collection particularly by the Central Statistics Office. The All Ireland Traveller Health Study has also been an important baseline document in relation to the area of health for Travellers. However there have been little of no positive developments in data collection in any other policy area. This almost complete lack of data makes monitoring of the situation of Travellers virtually impossible and significantly impacts on the ability of the state to equality proof any policies or programmes, which affect these communities. Where data is available, it is not gender disaggregated, making a clear

analysis of the position of Traveller women in Ireland, the development of specific provisions for them and monitoring progress extremely difficult. In addition gender proofing alone will not identify the suitability/impact of policies, services or strategies. Complex proofing, assessing multi-disadvantage is required for policies, services and strategies.

NTWF respectfully suggest that the CEDAW Committee ask the State:

What progress has been made in relation to data collection on Travellers in particular gender disaggregated data?

5. Participation of Traveller women in Political and public life

The Irish government needs to insure there is a strong gender focus in any of the work being implemented with Travellers and political representation, to ensure that the voices of Traveller women are represented in the decision making structures both at local and national levels. It will need to explore a gender quota system, affirmative action and what support measures will need to be put in place to create equal opportunities for Traveller women to engage in political representation. This is central to ensure the participation of Traveller women in the decision making and formulation of all government policy which affects them and the need to progress beyond just consultation.

NTWF respectfully request the CEDAW Committee to ask the State:

Describe what measures the State intends to adopt to ensure Traveller women's engagement in political life.

6. Traveller Women in Prison

It is recognised that there is a disproportionate number of Travellers within Irish prisons – although Travellers only account for 0.6% of the overall population in the Republic of Ireland they account for 22% of the female prison population and 15% of the male prison population (source: Irish Prison Service). The Irish Penal Reform Trust (IPRT) conducted important research on Travellers in the Irish Prison System³ which clearly documented the challenges and difficulties experienced by Travellers within Irish prisons. It recommended:

1. Development of a strategy for Travellers in the criminal justice system (with a specific focus on Traveller women)
2. Develop an equality policy for the Irish prison Service
3. Conduct effective ethnic monitoring
4. Provide targeted reintegration support

³ Irish Penal Reform Trust (2014). Travellers in the Irish Prison System: A qualitative study

NTWF respectfully suggest that the CEDAW Committee ask the State:

- **What steps are being taken to ensure that Traveller women are being treated equitably within the Irish Prison system?**
- **Please provide information about the implementation of the *Irish Prison Service Strategy 2014 – 2016* and how the state are ensuring a coherent approach to gender equality and in particular equality for Traveller women.**

7. Accommodation

Accommodation is one of the key determinates of health and the appropriate type and standard of Traveller accommodation does impact greatly on life expectancy and on all other aspects of Traveller lives such as economic, social and cultural. The significantly high number of families living without permanent accommodation or inadequate accommodation has particular consequences for Traveller women. Women spend more time in the home and are the primary carers so they bear the brunt of having to cope with basic conditions such as lack of clean running water, lack of adequate refuse collection, poor sanitation and unsafe areas for children to play. Furthermore, problems with accommodation can lead to ill health. In particular, it can have an effect on women's mental health as they have to cope with looking after the family, dealing with the local authority, making sure the children have an education, etc. in very difficult circumstances.

European Commission against Racism and Intolerance said in its Second Report on Ireland (23 April 2002) that “ *the fact that no sanctions are provided for in the Housing (Traveller Accommodation) Act 1998 against authorities who do not take measures to provide accommodation for Travellers may weaken its effectiveness.*”. Despite the fact that the ECRI highlighted that the lack of sanctions provided for in the *Housing (Traveller Accommodation) Act 1998* in 2002. We currently have a National Traveller Accommodation Consultative Committee appointed by the Minister for Environment, Community and Local Government which only has an advisory role and has no authority to ensure local authorities are meeting their Traveller accommodation targets. The NTACC does not have a remit to ensure implementation of Traveller accommodation especially Traveller Specific accommodation and it cannot impose sanctions on Local Authorities who are failing to deliver on their Traveller accommodation targets set out in their own local Traveller Accommodation Plans.

Traveller Accommodation Budgets have been decimated in the last number of years and there is currently a Traveller accommodation Crisis:

- 2000 estimated €70 million available as capital funding
- 2010 €35 million capital funding and €7.7 million current funding
- 2012 €16million capital and €5.6 for current funding
- 2014 €3 million capital and €2 million for current funding.
- 2015 €4.3 million capital and €4 million for current funding

Department of Environment and Local Government (DELG): Annual Count 2012 + 2013

Number of families in:		2012	2013
(a)	Local Authority Standard Houses	3,260	3279
(b)	Private Rented Accommodation	2,818	2717
(c)	Group Housing	722	728
(d)	Permanent Halting site	910	911
(e)	Unauthorised Sites	330	361
(f)	Sharing Accommodation	604	663

Traveller Accommodation Unit, Department Environment Community and Local Government

Sharing of accommodation has risen year on year over the past number of years with 663 families sharing accommodation in 2013, an increase of 171 families since 2011. Sharing of accommodation means that many families are living in overcrowded conditions and in some cases where there are only very basic services. There are 361 families living in unauthorised sites with no services provided this figure has also increased year on year over the past 3 years. One of the most alarming increases over the last few years has been the number of Traveller families in private rented accommodation particularly young Travellers as this is the only option being presented to them. This is creating a particular form of isolation for young Traveller women especially being removed from the supports of the extended family. Also private rented accommodation does not provide security of tenure. The increase in sharing accommodation and private rented is a direct result of the lack of provision of Traveller specific accommodation.

The introduction of Section 24 of the Public Order Act as amended by the Housing (Miscellaneous Provisions) Act, 2002 which give increased powers of eviction has seriously undermined the efforts of those involved in progressing Traveller Accommodation. The Act has been enforced in many areas - most involving Traveller families who have been living in the area and who are on local authority waiting lists for years. This law was introduced at a time when over a 1,000 Traveller families were camped on public land due to the lack of provision of Traveller accommodation, and when there was no progress in the provision of transient accommodation. Its introduction put vulnerable families in fear of being moved on by the Gardai and put an end to families being able to practice their rights to be nomadic. It is in direct conflict with the provisions of the Housing (Traveller Accommodation) Act, 1998, which states that the annual patterns of movement of Travellers should be provided for. To this day the Act continues to criminalise nomadism and disproportionately impacts upon Travellers

Current figures for Traveller accommodation continues to reflect that despite Government policies to the contrary, the Traveller Community as a whole cope with the challenge of living in a society which does not accommodate either a nomadic lifestyle or the preferred accommodation choices of Travellers. Alongside that we have not seen implementation of Traveller specific accommodation at the required levels to ensure the rate of progress keeps pace with Local Authorities own Traveller Accommodation Programmes targets.

NTWF respectfully suggest that the CEDAW Committee ask the State:

- Please provide detailed information on the use of the Housing Miscellaneous Provisions Act, and consider its impact on vulnerable families.
- Provide information on what mechanisms the state could usefully put in place to ensure the delivery of the national Traveller accommodation strategy.

8. Health and Violence against Women

The comprehensive health policy for Travellers - All Ireland Traveller Health Study 2010 (AITHS) still has no government department lead to date. The follow on consequences for this is that there is no clarity on what has been implemented. There is no accountability with regard to lack of implementation of findings. There is also a lack of accountability and transparency in relation to Traveller health budgets. There are no personnel with a brief on Traveller policy within the Department of Health. In addition the National Traveller Health Advisory Committee (NTHAC) – which was the driver behind the AITHS was disbanded two years ago pending a review. The review was completed but there has been no further communication from the Department of Health (Despite repeated requests) as to when the NTHAC will be replaced. There is still no Ethnic Identifier within the health system.

- The All Ireland Health Study completed in 2010 showed Female mortality was and is about 3 times higher than in the general population.
- Violence of one form or another is part of the real life experience of many Traveller Women.
- The National Study on Domestic Abuse documented that Traveller Women are often reluctant to seek help from outside of the Travelling Community due to a fear of experiencing prejudice and a general mistrust of the authorities. (P 152, Domestic Abuse of Women and Men in Ireland)
- The 2008 Safe Ireland Report “Safety & Change” (P 16 Safety & Change) showed that Traveller women represent 37.7% of all women accessing refuge services. According to the 2006 Census, adult (over 15 years of age) Traveller women constitute 0.41% of the population in Ireland which indicate they are strongly over-represented amongst women accessing refuge.
- In the Women's Health Council Report (p 96, Translating Pain into Action, A study of gender based violence and Minority Ethnic Women in Ireland, Women's Health Council) One of the most significant findings is that Traveller women and certain categories of non-indigenous minority ethnic women in Ireland do face an increased risk of Gender Based Violence.

NTWF respectfully suggest that the CEDAW Committee ask the State:

- Please provide detailed information on plans to tackle health inequalities experienced by Traveller women.
- What steps are being undertaken to increase funding to domestic and sexual violence support services to offset budget cuts in recent years and ensure access to safe, emergency accommodation for women experiencing male violence?

- **Please provide detailed information on the prevalence of domestic and sexual violence and its plans to allocate resources to fund a SAVI 2 report in relation to establishing the nature and extent of sexual violence in Ireland and collate comprehensive data on domestic violence.**

9. Education

In 2006 a robust policy for Traveller education was developed by all key stakeholders including Travellers and Traveller organisations: Towards a Traveller Education Strategy 2006: 8 years later many of the recommendations contained in this report remain unimplemented. Nor is there an implementation strategy to monitor appropriately the implementation of recommendations. Agreement was reached that this would be developed as a priority for 2013. Although we still await this implementation strategy two years on from that commitment.

Since 2008 to the end of 2013 (no figures yet for 2014) we have seen an 87% cut to Traveller specific supports in education including the following:

- Primary level - withdrawal of resource teachers posts
- Post Primary Level – withdrawal of teaching hours
- Withdrawal of visiting teachers for Traveller children 42 posts
- Withdrawal of all senior Traveller Training centres June 2012
- Removal of Traveller specific school transport support from September 2011 with no facilities to take account of exceptional needs this will have an impact on some Traveller children accessing education.

The impact of these cuts has not been monitored, but we do know that we are seeing a rowing back of some of the positive development made previous to 2008. For example we no longer have 100% transfer rates of Traveller children from primary to post primary. Also there continues to be a significant gap between the participation and attainment of Traveller children when compared with children from wider settled society. The attainment and retention levels of Traveller students in second level education remains a serious concern.

As mentioned earlier the Department has begun (as of September 2014) to roll out an ethnic identifier which will be very important moving forward. While we await the data from this below you will find the most up to date data on Traveller women in Education.

- There are lower numbers of Traveller women engaging in higher and further education, the 2006 census shows that only 19 Traveller women had obtained a third level qualification at degree or higher level (Census 2006)
- Only 3.1 per cent of Travellers continued their education past the age of 18 compared with 41.2 per cent for the general population (Census 2011)

- The number of Irish Travellers who completed third level in 2011 was 115 or 1 per cent. This compares with 30.7 per cent of the general population excluding Irish Travellers (Census 2011)
- The percentage of Irish Travellers with no formal education in 2011 was 17.7 per cent compared with 1.4 per cent in the general population (Census 2011)
- In addition to this Senior Traveller Training Centres closed in June of 2012 and approximately 597 Traveller women aged between 16 and 50 plus lost training spaces. The funding of these training positions was not ring fenced for enhanced training for Traveller women in the mainstream nor were any alternative provisions put in place for the 597 Traveller women participating in these centres.
- The most recent figures on post-primary enrolment for the academic year 2012-2013 shows 925 Traveller girls in Junior Cert year and only 420 in their Leaving cert year. These figures show that there is still a challenge for Traveller girls and the transfer from junior to senior cycle in post primary. (Source: Department of Education and Skills 2014)
- Number of Travellers in Higher Education Institutions (publically funded) 2012/13 is 26. These are 1st year entrants. Unfortunately they have no gender breakdown of these figures. (Higher Education Authority 2014)
- While BTEI participants have been on the increase - the numbers of Traveller women participating in BTEI has reduced. In 2008 there were 27,104 total participants in BTEI. In 2012 that figure had increased to 32,066. On the other hand in 2008 937 Traveller women were participating in BTEI and that figure had reduced to 481. There is no data available for 2013. (Source: Department of Education and Skills 2014)

The Admission to Schools Bill 2013 which is currently progressing through the Dail is making provision for schools to make admissions based on a 25% parent rule (where children of past pupils will get preferential treatment. This will put on a statutory footing a policy that schools are currently using to exclude or limit the numbers of Traveller children from accessing school places. This provision in the admissions bill does disproportionately affect Traveller children and will further exclude a very marginalised sector of society

This is all the more worrying in light of a recent legal case in relation to a Traveller child and discriminatory school enrolment policies. John Stokes, applied for admission to the Christian Brothers' school in Clonmel, known as the High School. They refused him because they have an admissions policy which means that if demand exceeds places available, they choose applicants who meet the following criteria. 1. they are Catholic, 2. they come from a feeder school and 3. their father was a student in the High School. As it happened, John Stokes met two of the criteria, but his father was not a former pupil of the school. When the school refused him a place, John's mother appealed to the Equality Tribunal, claiming that the decision was anti-Traveller, and the tribunal agreed. The school appealed to the Circuit Court, which overturned the tribunal decision and then the Stokes family appealed the Circuit Court decision to the High Court and eventually the Supreme Court. The Supreme Court refused that request, though the judgements were mixed. Two of the five judges said that the issue had nothing to do with the Supreme Court, while the other three said that the matter had not been properly put before the High Court.

NTWF respectfully suggest that the CEDAW Committee ask the State:

Please provide detailed information on plans to tackle education inequalities experienced by Traveller women.

10. Employment

Traditionally Traveller women worked within the Traveller economy as part of the family unit involved in income generating, this work would have included selling door to door, at markets, collecting good for selling, and childcare. Recent years have seen the deterioration of many of the income generating opportunities for Traveller families, particularly scrap metal recycling, horse trading and market trading are dwindling. There have been many reasons for this including restrictive legislation, (eg the Casual Trading Act, 1995). Traveller women were particularly affected by the Market Trading Act as many women ran market stalls at both private and public fairs.

Consequently, Traveller women's access to income generating opportunities in the Traveller economy has declined, while opportunities within the labour market have not replaced them, leaving many Traveller women unemployed and living on social welfare.

Outside of the now limited opportunities for Traveller women in the Traveller economy mainstream employment opportunities continues to be for the most part something that is outside the reach of Traveller women due in part to low education attainment, traditional gender roles and discrimination from employers. The employment statistics over the last decade paint a stark picture.

- The 2002 census highlighted 63% of Traveller women are unemployed in comparison to a national figure of 8%.
- Data from the 2006 Census reveal that only 13.8 per cent of Irish Travellers over the age of 15 years are in employment compared to a national average of 57.2 per cent. Among Travellers, women (11 per cent) are less likely to be employed than men (16.9 per cent).
- The 2010 All Ireland Traveller Health Study found that only 4.8% of Travellers in the republic of Ireland were either employed or self-employed.
- Census 2011 reveals that out of a total labour force of 4,144 Traveller women 81.2% were without work. Also one in three Irish Traveller women (32.7%) were looking after the home and family, nearly twice the rate of the general population (17.5%).

Limited as the census data is – it paints a stark picture, and with Ireland in recession and unemployment at a higher level the challenge of supporting Traveller women into mainstream employment is greater than ever.

NTWF respectfully suggest that the CEDAW Committee ask the State:

- **Please provide detailed information on plans to tackle employment inequalities experienced by Traveller women.**