



Submission to the 87th Pre-Sessional Working Group of the UN Committee on the Rights of the Child (28 Sep 2020 - 02 Oct 2020)

Suggested List of Issues for Ireland – Traveller and Roma Children

Reporting Organisation and our Submission

Pavee Point Traveller and Roma Centre is a national NGO committed to the realisation of human rights for Irish Travellers and Roma in Ireland. Established in 1985, the aim of Pavee Point is to contribute to the improvement in quality of life and living circumstances for Travellers and Roma by working for social justice, solidarity and human rights.

Our submission respectfully suggests issues and further information that the Committee may seek from the Irish State. It outlines priority areas of concern for Traveller and Roma children, which require urgent attention in the light of persistent social exclusion and discrimination faced by Traveller and Roma children and the disproportionate impact of the COVID-19 pandemic on Traveller and Roma communities.

While Pavee Point has welcomed the State's symbolic recognition of Irish Travellers as an ethnic group in 2017,¹ we draw attention to areas where the previous Concluding Observations by the Committee have not been implemented or have only been partially progressed (references are made to the 2016 Concluding Observations by the Committee on the Rights of the Child throughout the document). We also make references to recommendations made by other UN treaty monitoring bodies in relation to our priority issues and urge the Committee to review these recommendations. Finally, we ask the Committee to draw the State's attention to ensuring the protection of Traveller and Roma children's rights in its measures and resource allocations during and post COVID-19 pandemic.

Irish Travellers and Roma in Ireland

Indigenous to the island of Ireland, there are a little over 36,000 Travellers in Ireland. This represents less than 1% of the nation's population.² An estimated 5,000 Roma live in Ireland, many of whom live in poverty due to lack of access to work and restrictive social welfare measures.³ As minority ethnic groups, Travellers and Roma experience persistent racism and discrimination on the basis of ethnicity, gender and other grounds. As a result, Traveller and Roma children are among the most marginalised and excluded individuals and groups in Ireland.

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1. National Traveller Roma Inclusion Strategy 2017 - 2021 (NTRIS)

Pavee Point has welcomed the consultation process the State undertook to develop the National Traveller Roma Inclusion Strategy (NTRIS) 2017 – 2021, as recommended by the Committee in 2016 (para.70 e). As the main policy to drive Traveller and Roma inclusion, this Strategy now includes specific actions on Traveller and Roma children.⁴ However, we regret that the implementation of the Strategy has been slow and, despite recommendations made by numerous other human rights monitoring bodies, the Strategy lacks a robust implementation plan that would have clear targets, indicators, outcomes, timeframes and budget lines.⁵ We also regret that no specific budget lines have been defined for Traveller and Roma children despite the recommendation by the Committee in 2016.⁶

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) **To provide update on progress with developing a robust implementation and monitoring plan for the NTRIS that is inclusive of clear targets, indicators, outcomes, timeframes and budget lines**
- b) **To provide information regarding how the current and post-2021 NTRIS aims to address the specific impact of COVID-19 on Traveller and Roma children, including in terms of resource allocations**

2. Lack of Disaggregated Data by Ethnicity

In its previous Concluding Observations, the Committee urged the State to provide disaggregated data to allow monitoring of the situation of Traveller and Roma children; use such data for the formulation, monitoring and evaluation of policies, programmes and projects; and take due note of the framework by the Office of the United Nations High Commissioner for Human Rights regarding defining, collecting and disseminating statistical information.⁷ In line with state policies⁸ and legislation,⁹ the State has committed to developing a system of ethnic data collection across state departments and agencies. However, while progress has been made with some state agencies,¹⁰ there have been major issues and resistance to progress ethnic data collection with others.¹¹ As a result, there is very little, if any, reliable statistical data on the situation of Traveller and Roma children. The urgency to develop and implement ethnic data collection is particularly pertinent during the current pandemic with a number of European institutions having issued statements to draw attention to the disproportionate impact of COVID-19 on Travellers and Roma.¹²

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) **To provide further information regarding progress, timeframe and resources for the full and effective development and implementation of ethnic equality monitoring (in line with human rights standards) across all relevant state departments and agencies, including the introduction of an ethnic identifier in relevant data sets and services that monitor the impact of the COVID-19 on children**

3. National Action Plan Against Racism

We regret that despite the Committee's recommendations in 2016 the State has not strengthened its efforts to combat the discrimination and stigmatisation faced by Traveller and Roma children, and that no National Action Plan against Racism has been introduced despite such calls made by a number of other international human rights bodies.¹³ In light of significant and persistent anti-Traveller and Roma racism in Ireland, and alarming reports of increased levels of such racism during the COVID-19 pandemic,¹⁴ Pavee Point has welcomed the new Anti-racism Committee established earlier this year, which is tasked with drafting an Anti-racism Strategy.¹⁵

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

To provide information regarding:

- a) **the current stage and progress in the development of the forthcoming Anti-racism Strategy; the methods being used to develop the Strategy; and details of measures to address the racism and stigmatisation faced by Traveller and Roma children through this Strategy**

- b) **the implementation and monitoring framework and resources that will be afforded to the forthcoming Anti-racism Strategy**

4. Traveller Education

In 2016, the Committee urged the State to undertake concrete and comprehensive measures to address structural discrimination against Traveller and Roma children with regard to access to education.¹⁶ Since then, Pavee Point has welcomed the explicit targeting of Traveller participation in higher education.¹⁷ However, none of the mainstream educational strategies contain actions aimed directly at increasing Traveller or Roma participation at early years, primary or post-primary levels.¹⁸ We also remain concerned at the 86.6% cuts to Traveller specific education supports in 2011 which have not been reinstated since.¹⁹ We recognise a number of small initiatives have been introduced by the Department of Education.²⁰ However, the need for a National Traveller Education Strategy remains a priority ask for Traveller organisations.

The current pandemic and physical closure of schools have placed Traveller and Roma children at further risk of educational disadvantage. We have welcomed guidance and resources issued by the State towards prioritising children from disadvantaged backgrounds during the pandemic.²¹ However, significant measures and resources are needed in Ireland's first ever National Traveller Education Strategy that the State has committed to developing in order to address the persistent educational needs of Travellers.²²

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) **To provide information about a timeframe for the development of the National Traveller Education Strategy, and information about the implementation and monitoring frameworks and resources afforded to the forthcoming Strategy²³**

5. Traveller and Roma Health

The Committee expressed deep concern for the health of Traveller and Roma children in its previous Concluding Observations (para. 49-50). Traveller and Roma children continue to experience stark health inequalities when compared to the general population,²⁴ and the current 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.²⁵ Yet, the Traveller health sector has not received any new development funding since 2008, and funding for a Roma Primary Health Care Training Programme was not sustainable as it was funded under Dormants Accounts.²⁶ Within this context it is welcomed that the State is at the last stages of publishing the first ever National Traveller Health Action Plan (NTHAP).

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

Within the context of the significant health inequalities experienced by Traveller and Roma children and the disproportionate impact of the current pandemic on Travellers and Roma, can the State indicate:

- a) **A timeframe for publishing the National Traveller Health Action Plan, and resources and mechanisms afforded to its implementation, particularly in relation to advancing health actions as they relate to Traveller maternal health and children?**

6. Traveller Accommodation

In 2016 the Committee issued a number of recommendations to address the accommodation situation and conditions faced by Traveller and Roma children.²⁷ The implications of poor accommodation and housing conditions are detrimental on Traveller and Roma children's health, education and the right to play. Yet, the State has continuously failed to provide adequate levels and standard of Traveller accommodation. Serious concerns have been raised over the Housing (Traveller Accommodation) Act 1998 and the Housing (Miscellaneous Provisions) Act 2002 by a significant number of human rights bodies. In 2019, an Independent Expert Group on Traveller Accommodation

set out a clear recommendation to overhaul all relevant legislation and policies which impact on accommodation provision for Travellers,²⁸ and the Advisory Committee on the FCNM and ECRI urged the State to tackle the problem of underspending of Traveller accommodation budgets by Local Authorities.²⁹

With Traveller overcrowding being 7 times the national rate³⁰ and 15% of Travellers being homeless,³¹ the accommodation crisis among Travellers has posed significant challenges during the COVID-19 pandemic. We have welcomed State guidelines issued for Local Authorities to take all necessary measures to ensure safety of Traveller families by providing electricity, water and other facilities. We have also welcomed the implementation of these guidelines by some Local Authorities but regret that the guidelines and accommodation needs of Travellers have not been met by all Local Authorities before and during the pandemic.

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) **To outline intentions and timeframe for the full implementation of recommendations issued by the Independent Expert Group on Traveller Accommodation and international human rights monitoring bodies,³² including an overhaul of the legislative framework pertaining to Traveller accommodation with a particular focus on the Housing (Traveller Accommodation) Act 1998**
- b) **To provide information about measures taken to address the underspending of Traveller accommodation budgets by Local Authorities**

7. Roma Accommodation

In the context of the current pandemic, there is an urgent need to address the housing and accommodation situation of Roma. Roma face discrimination in accessing accommodation; severe overcrowding; poor and dangerous accommodation conditions; homelessness; and lack of access to social housing and rent supplement.³³ We are deeply concerned at recent cases where Roma children have been discharged into homelessness from maternity hospitals and from a COVID-19 quarantine hotel upon exiting the hotel after a period of self-isolation.³⁴ While the State has indicated a commitment to include Roma specific housing actions in the National Traveller Roma Inclusion Strategy (NTRIS), there are currently no such actions in the NTRIS.

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) **To provide information about measures and resources it intends to take to address the housing situation impacting Roma families and children, including measures taken to ensure that Roma children are not discharged into homelessness from maternity hospitals and other accommodation-based services during the COVID-19 pandemic?**

8. Roma Children and Lack of Access to Child Benefit Payment

Concerns about Roma child poverty and the discriminatory effect of the Habitual Residence Condition on Roma to access basic social welfare payments have been raised by a number of international human rights bodies, including by the Committee on the Rights of the Child (para. 69 f).³⁵ Despite Child Benefit being a 'universal' payment in Ireland, many Roma children are not entitled to it due to the implementation of the right to reside (European Directive 2004/38) and the associated policy - Habitual Residence Condition- by the Department of Employment Affairs and Social Protection.³⁶ Difficulties among Roma mothers to access Personal Public Service (PPS) numbers makes it not only difficult to access the Child Benefit payment, but to register a birth of a child.³⁷

Chronic poverty among many Roma families and children has posed serious concerns during the COVID-19 pandemic.³⁸ We have welcomed some flexible approaches by the State during the pandemic, including once-off Urgent Needs Payments being granted to a number of Roma who haven't been able to satisfy the Habitual Residence Condition and Right to Reside conditions, and

changes to procedures to apply for Personal Public Services Numbers in Dublin that has made the procedure more accessible. However, it is unlikely that these measures will continue as we move to next phases of the pandemic.

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) In light of previous recommendations by the UNCRC and UNCEDAW, can the State provide further information on measures taken to ensure that all children residing in the State, including Roma children, can access Child Benefit payments regardless of the legal or administrative status of their parents?
- b) In light of the current pandemic, provide information on measures taken to ensure that a humanitarian approach to meeting the needs of Roma during and post COVID-19 will be maintained and extended across the country?

9. Traveller and Roma Children - Poverty and Standard of Living

In 2016, the Committee expressed deep concern about child poverty disproportionately impacting Traveller and Roma children (para. 59-60). These concerns persist as 80.2% of Travellers face unemployment;³⁹ only 16.7% of Roma are in employment; 25% of Roma children report to have gone to school hungry; and 57.5% of Roma do not have enough money for books and uniforms.⁴⁰ Yet the State has not introduced adequate poverty reduction measures regarding Traveller and Roma children. There are no dedicated targets for reducing Traveller and Roma poverty in key mainstream policy initiatives related to poverty, social inclusion or employment,⁴¹ and no dedicated strategy has been developed to address the significant levels of unemployment faced by Travellers and Roma.⁴²

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) To provide details about measures and resource allocations taken to address the persistent and chronic child poverty among Traveller and Roma communities in mainstream and targeted measures aimed at addressing poverty and social inclusion
- b) To indicate its plan and timeframe to develop a comprehensive Traveller and Roma training, employment and enterprise strategy in an effort to combat the chronic unemployment levels impacting Traveller and Roma families

10. Traveller Children in Children's Detention Campus and Child Welfare and Protection System

Pavee Point is concerned at the over-representation of Traveller children in state institutions and the child welfare and protection system in Ireland. Although Travellers account for 0.6 % of the Irish population, 22% of young people in Oberstown Children Detention Campus are Travellers,⁴³ and an internal study by the Department of Children has found that Traveller children make up 12% of those on the at-risk register for child protection and welfare concerns.⁴⁴

Pavee Point respectfully suggests that the Committee on the Rights of the Child ask the State:

- a) To provide up to date disaggregated data by ethnicity and information about measures taken to address the over-representation of Traveller children in Oberstown Children Detention Campus and in the State's child protection and welfare register

ENDNOTES:

1 As per recommendation by the Committee on the Rights of the Child, *Concluding observations on the combined third and fourth periodic reports of Ireland*, CRC/C/IRL/CO/3-4, 2016 para. 69.

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

3 This estimate is based on the findings of Ireland's first National Roma Needs Assessment. 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, 2018.

4 Ireland's second NTRIS contains 149 actions across 10 thematic areas and 24 actions that specifically relate to children and youth. Department of Justice and Equality, *NTRIS 2017-2021*.

5 UNCEDAW, *Concluding Observations on the Combined Sixth and Seventh Periodic Reports of Ireland*, CEDAW/C/IRL/CO/6-7, 9 March 2017; UNCRC, *Concluding Observations on the Combined Third and Fourth Periodic Reports of Ireland*, CRC/C/IRL/CO/3-4 4, 1 March 2016; ECRI, *Fifth Report on Ireland*, CRI(2019)18, 4 June 2019; FCPNM, *Fourth Opinion on Ireland*, ACFC/OP/IV(2018)005, 20 June 2019; CERD, *Concluding Observations on the Combined Fifth to Ninth Reports on Ireland*, CERD/C/IRL/CO/5-9, 12 December 2019.

6 Para. 15 and 16 (d) by the Committee on the Rights of the Child, *Concluding observations on the combined third and fourth periodic reports of Ireland*, 2016

7 Para 17 & 18, *ibid*.

8 As per the National Traveller and Roma Inclusion Strategy (2017-2021); Second National Strategy on DSGBV; Migrant Integration Strategy 2017-2020; The National Strategy for Women and Girls 2017-2020.

9 Obligations set out in Section 42 of the Irish Human Rights and Equality Act (2014).

10 The Central Statistics Office has included Travellers as an administrative category in the Census since 2006, and Roma will be included in Census 2021. Progress has also been made with ethnic data collection with National Social Inclusion Programmes.

11 The national police service (An Garda Síochána) and the Courts Service report that there is 'no legal basis for ethnic data to be collected' and that ethnic data is not relevant to their services. Where steps have been taken to disaggregate data by ethnicity by some state agencies, it hasn't always taken place in line with human rights standards. For instance, 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.

12 European Commission, European Union Agency for Fundamental Rights, Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, and the Council of Europe have all noted the disproportionate impact of COVID-19 on Roma and Travellers throughout the pandemic. Concerns at the lack of disaggregated data by ethnicity in formulating and monitoring policy and programming in Ireland have been raised by numerous international human rights monitoring bodies- UNCESCR, *Concluding Observations on the Third Periodic Report of Ireland*, E/C.12/IRL/CO/3, 19 June 2015; ECRI, *Second Report on Ireland*, CRI (2002) 3, 23 April 2002; UNCEDAW, 2017; UNCRC, 2016; HRC, 2014; FCPNM, 2019; ECRI, 2019; CERD, 2019.

13 National Action Plan on Racism 2005-2008 was never renewed and the National Consultative Committee on Racism and Interculturalism (NCCRI) was abolished in 2008. Recommendations calling the State to develop a new National Action Plan against Racism have been issued by UNCRC, 2016; HRC, *Concluding Observations on the Fourth Periodic Report of Ireland*, CCPR/C/IRL/4, 19 August 2014; FCPNM, 2019; ECRI, 2019; CERD, 2019.

14 COVID-19 has had a disproportionate impact on Travellers and Roma when examining rates of testing positive for COVID-19. This has led to increased reports of racism in Ireland and across Europe with Travellers and Roma effectively being blamed for spreading the virus, Bhabha, J., M., Matache, 'Anti-Roma Racism is Spiralling During COVID-19 Pandemic', *Health and Human Rights Journal*, 7 Apr 2020, <https://www.hhrjournal.org/2020/04/anti-roma-racism-is-spiraling-during-covid-19-pandemic/>.

15 Department of Justice and Equality, *Action Plan against Racism for Ireland to be draw up by new Independent Anti-Racism Committee*, 19 June 2020, <https://www.gov.ie/en/press-release/6bedb-action-plan-against-racism-for-ireland-to-be-drawn-up-by-new-independent-anti-racism-committee/>.

16 Para 69-70.

17 This is being progressed through Equity of Access to Higher Education Access Plan 2015-2019 and the Progress Review of the National Plan for Equity of Access to Higher Education and the priorities to 2021.

18 Including Delivering Equality of Opportunity in Schools Plan 2017.

19 Harvey, B., *Travelling with Austerity*, 2013. Visiting Teachers for Travellers scheme and the posts of Resource Teachers for Travellers were abolished. Home School Community Liaison teachers (HSCL) are now responsible for liaising between schools and families but this model cannot cater for Traveller community due to its remit and lack of resourcing. HSCL teachers are not available in many rural DEIS (Delivering Equality of Opportunity in Schools) schools and are not available at all in non-DEIS schools. Subsequent to the phasing out of segregated schools and classrooms for Traveller children since 2006, the State has insisted on a mainstreaming approach, in Houses of the Oireachtas, *Traveller Education Dáil Éireann Debate*, 23 October 2018..

20 Education pilot programmes and bullying research are being progressed through the National Traveller Roma Inclusion Strategy.

21 Department of Education and Skills, *Guidance on Continuity of Schooling For primary and post-primary schools*, April 2020;

School Meals Programme – Guidance for Schools, March 2020; GRANT SCHEME FOR ICT Infrastructure – 2019/2020 SCHOOL YEAR €10m Funding to issue to Primary and post-primary schools, April 2020.

22 No dedicated Traveller education strategy has been introduced to date despite a commitment by the State to complete a review of 2006 Report and Recommendations for a Traveller Education Strategy. The Report was never developed into a Strategy and 14 years later this review is still to be published. The Report led to the establishment and work of a Traveller Education Advisory Consultative Forum between 2009-2015 but the Forum was dismantled in 2015. There has also been no structure put in place to drive Traveller education policy since dismantling of the Forum in 2015. Education Sub-committee of the National Traveller Inclusion Strategy (para 323) was only established to advance *a limited number* of education actions in the NTRIS.

23 In 2019, the Advisory Committee on the FCPNM and the CERD Committee urged the State to adopt a coherent Traveller and Roma Education Strategy and an implementation plan with clear targets, indicators, timeframes and resources, in FCPNM, 2019; UNCERD, 2019.

24 Infant mortality rate for Travellers is 3.5 times the rate of the general population, in Kelleher et al., 2010. 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, in Curran et al., 2018.

25 By 1 July 2020 over 150 Travellers have tested positive for COVID-19, with 3 deaths and 70 Roma testing positive and 7 deaths. Of those Travellers reporting tested for COVID-19, 12% are testing positive which is higher than the national figure of 6.7% in the general population. See HPSC figures [here](#). These figures are an undercount.

²⁶ Funding for the Roma Primary Health Care training programme was time limited once-off funding. The programme ceased during COVID-19 pandemic.

27 CRC, 2016 para 69-70.

28 Independent Expert Group on behalf of the Minister of the Department of Housing, Planning and Local Government, *Traveller Accommodation Expert Review*, 2019.

29 Traveller accommodation budgets have fallen drastically from €40m in 2008 to a mere €14.5m in 2020, in Harvey, B., *Travelling with Austerity: Impacts of cuts on Travellers, Traveller Projects and Services*, Dublin, Pavee Point Publications, 2013; Meeting of the Joint Oireachtas Committee on Housing, Planning and Local Government on 5 December 2019, Opening Statement of Damien English, TD, Minister of State at the Department of Housing, Planning and Local Government. With the Housing (Traveller Accommodation) Act 1998, the annual Traveller accommodation budgets are allocated to Local Authorities which have a legal responsibility to provide culturally appropriate, adequate and safe accommodation for Travellers. However, substantial parts of the allocated Traveller accommodation budgets remain unspent by Local Authorities with no incentives or sanctions in place to ensure they meet this obligation. Less than one third of funds allocated for Traveller accommodation in 2019 had been spent by the end of October 2019, with 14 Local Authorities failing to spend any of their Traveller accommodation budget. Just €4m of €13m provided by Department of Housing was spent in first 10 months of 2019, in Holland, K., 'Fourteen councils yet to spend any Traveller accommodation funds this year', *Irish Times*, 20.11.2019; FCNM, 2019; ECRI, 2019. The ECRI proposes imposing sanctions on local authorities for failure to spend allocated funding, or removing the responsibility for Traveller accommodation from local authorities and placing it under the authority of a central housing commission as potential solutions to the issue.

30 Central Statistics Office, *Census 2016, Profile 8 - Irish Travellers Ethnicity and Religion*, 2016.

31 Department of Housing, Planning and Local Government, *Total Number of Traveller Families in all categories of Accommodation*, 2018, Department of Housing, Planning and Local Government.

32 Independent Expert Group on Traveller Accommodation, sets out a clear recommendation to overhaul the Housing (Traveller Accommodation) Act 1998 and other relevant legislation and policies which impact on accommodation provision for Travellers, Independent Expert Group on behalf of the Minister of the Department of Housing, Planning and Local Government, *Traveller Accommodation Expert Review*, 2019. In 2016, the European Committee of Social Rights (ESCR) found Ireland to be in violation of Article 16 of the European Social Charter on five grounds, including insufficient provision of accommodation for Travellers, and noted that there was unreasonable grounds for Traveller evictions, <http://hudoc.esc.coe.int/eng#>. Serious concerns over the implementation of the Housing (Traveller Accommodation) Act 1998 and/or the Housing (Miscellaneous Provisions) Act 2002 have been raised by the HRC, 2014; UNCCPR, 2014; UNCESCR, 2015, UNCEDAW, 2017; Council of Europe's Commissioner for Human Rights, Nils Muižnieks, *Report on the Visit to Ireland*, 2016. In 2019, Advisory Committee on the FCNM and ECRI urged the State to tackle the problem of underspending of Traveller accommodation budgets by Local Authorities and to step up efforts to meet the accommodation needs of Travellers. The ECRI proposed imposing sanctions on local authorities for failure to spend allocated funding, or removing the responsibility for Traveller accommodation from local authorities and placing it under the authority of a central housing commission as potential solutions to the issue.

³³ The application of the Habitual Residence Condition (see section 2.3) and the Housing Circular 41/2012 is precluding many Roma from accessing a range of social welfare supports, including housing and homeless supports. Curran et al., *National Needs Assessment*, 2018.

³⁴ The quarantine hotel was set up for vulnerable groups and individuals who have no home or space to self-isolate during the pandemic.

35 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; UNCEDAW, 2017; UNCRC, 2016; HRC, 2014; UNCESCR, 2015.

36 40% of Roma households with children are not successful in applying for social protection payments. Under the European Directive Roma have a right of residence without restriction for three months. 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. Roma face significant difficulties with proving residency in the State with lack of documentation, proof of address and language and literacy skills. 25.5% of Roma don't have the right to reside; 25.7% of Roma are not habitually resident; 38.5% of Roma don't know if they have a right to reside; 26.9% don't know if they are habitually resident. Curran et al., *National Needs Assessment*, 2018.

37 12.7% of Roma women don't have a Personal Public Service (PPS) number, *Ibid*. 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.

38 25% of Roma children have gone to school hungry and 35% without adequate lunches; 49.5% of Roma households do not always have enough food; 46.2% do not always have enough fuel; 66.3% cannot keep the house warm all the time, in Curran et al., *National Needs Assessment*, 2018.

39 Central Statistics Office, *Census 2016 Profile 8 - Irish Travellers, Ethnicity and Religion*, 2016

40 in Curran et al., *National Needs Assessment*, 2018. s.

41 The Pathways to Work Strategy 2016-2020 or the recently published Future Jobs Ireland 2019, *Future Jobs Ireland- 2019- Preparing Now for Tomorrow's Economy*, Department of the Taoiseach and the Department of Business, Enterprise and Innovation, 2019.

42 55% of Travellers have experienced discrimination at work, Kelleher et al., *All Ireland Traveller Health Study*, 2010, and 80.2% of Travellers are unemployed, Central Statistics Office, *Census 2016 Profile 8 - Irish Travellers, Ethnicity and Religion*, 2016. 78.9% of Roma feel discriminated against in getting a job and only 16.7% of Roma are employed, in Curran et al., *National Needs Assessment*, 2018. Roma who do not meet the right to reside or Habitual Residence Condition are not considered job seekers and therefore are not eligible for many training and employment supports.

43 Irish Penal Reform Trust, *Oberstown Children Detention Campus: Key characteristics of young people in detention for Q1 2018*, June 2018.

44 Jack Power, ['At-risk children faced years of delayed before being put on Tusla register'](#), *The Irish Times*, 19 August 2019. No official data by ethnicity is available by Tusla Child and Family Agency or the Department of Children. However, a report published by Tusla Child and Family Agency estimates that some ethnic groups, like Irish Travellers, are over-represented in the child welfare and protection system. Rooney, C., J. Canavan, UNESCO Child and Family Research Centre NUI Galway, *Exploring ethnic data collection for the Child and Family Agency*, Tusla Child and Family Agency, 2019.