



Irish Traveller Movement Submission on National Planning Framework Ireland 2040

Introduction to the Irish Traveller Movement:

Founded in 1990, the Irish Traveller Movement (ITM) is a national membership organisation representing Travellers and Traveller organisations across Ireland. One of its core principles is to challenge the racism that Travellers face in Ireland, promoting integration and equality within Irish society. We welcome this opportunity to make a submission on the development of the National Planning Framework Ireland 2040.

ITM works collectively to represent the views of Travellers and Traveller organisations at a national and international level. We develop policies, actions and innovative programmes to bring about change for Travellers in Ireland. We work to challenge the inequalities faced by Travellers by promoting Traveller participation and leadership locally and nationally, by developing and sharing best practice, developing evidence-based research to inform our work and building strategic alliances with all who are committed to a fairer Irish Society National Planning Framework Ireland 2040.

Our Vision

“An Ireland where Travellers are proud of their identity and with their ethnicity recognised, can achieve their fullest potential to play an active role in Irish society”

Approach

We work to achieve equality for Travellers in all aspects of their lives

We will promote pride in Traveller culture & identity, within the community and to non-Travellers

We will ensure that our members are actively involved in and lead our work

We will produce evidence based solutions to address the issues affecting Traveller’s lives to positively impact on polices and laws that affect Travellers, especially in the National

Traveller Roma Inclusion Strategy We will develop innovative models to meet Travellers’ needs to achieve equality in Irish Society and support existing models to be mainstreamed

We will sustain, grow and build a dynamic organisation to carry out all aspects of the Strategic plan

Background

There are an estimated 25,000 Travellers in Ireland, making up more than 4,485 Traveller families. This constitutes approximately 0.5% of the total national population. It is estimated that an additional 15,000 Irish Travellers live in Britain, with a further 10,000 Travellers of Irish descent living in the United States of America. Travellers, as individuals and as a group, experience a high level of prejudice and exclusion in Irish society. Many have to endure living in intolerable conditions, with approximately one third having to live without access to the basic facilities of sanitation, water and electricity. This leads to ongoing health problems among the Traveller community. A report of the Health Research Board (1987) revealed that Traveller men live, on average, 10 years less than settled men, while Traveller women live on average 12 years less than their settled peers. Discrimination and its effects are a daily feature of Travellers lives. In 1995, the Government published the Report of the Task Force on the Travelling Community. This report presents a comprehensive examination of the situation of the Traveller community and contains significant and convincing proposals for necessary change. To date, some of the recommendations of this important report have been implemented, but much remains to be done. It is vital that, in the coming years, the various Government agencies responsible, together with the community as a whole, work to ensure the full implementation of all the Task Force Reports recommendations. Travellers might then have the experience of being treated and regarded as full, equal citizens of Ireland. The position of Travellers and the human rights violations they are subject to, is highlighted by international and Irish human rights bodies. Travellers face particular obstacles to the enjoyment of their human rights and across a broad range of social indicators Travellers fare poorly compared to the settled majority.

Economic impact on Travellers from 2008-2013

Travellers who benefitted less from years of economic success have been disproportionately impacted as a result of austerity imposed following Ireland's economic collapse. Research carried out by Brian Harvey for Pavee Point in 2013,¹ called 'Travelling with Austerity -

¹ Harvey B., 2013, Travelling with Austerity. Report by Pavee Point retrieved from http://www.paveepoint.ie/tempsite3/wp-content/uploads/2013/10/Travelling-with-Austerity_Pavee-Point-2013.pdf (accessed 17 June 2014)

Community Development & Impacts of Cuts on Travellers', identified that between the years 2008 and 2013, the following cuts were imposed on the Traveller sector:

Government Department cuts to Traveller specific programme.

- Traveller Interagency Group activities -100%
- Department of Education Traveller Budget -86.6%
- Department of environment Traveller accommodation -85%
- Department of Justice Equality -76.3%
- National Traveller organisations -63.6%
- FAS Special Initiative for Travellers -50%
- National Traveller Partnership -32.1%
- Traveller SPY youth projects -29.8%
- Health -5.4%

Programmes and funding lines of importance to Travellers

- Equality and rights agencies -69%
- Local & Community Development Programme -42.3%
- Initiatives against drugs -32.5%

These cuts have had devastating effect on services and supports to the Traveller community and have no doubt further marginalized a community already socially, economically and culturally excluded in Ireland

Recommendations

We recommend that all government departments reverse these cuts and safe guards and protocols are put in place to protect the most vulnerable.

Traveller Heritage and Culture Cherished

Traveller were formally recognised by the Government as an ethnic minority group on March 1st 2017, The Irish Traveller Movement had called for state recognition for over 25 years and more recently lead a campaign involving local and national organisations, domestic and international human rights bodies who sought to ensure Traveller's unique identity in Ireland would be finally acknowledged. Until State recognition was addressed, Travellers were more vulnerable to indirect discrimination in State policy and practice and unable to rely on automatic comprehensive domestic protection, evidenced in October 2016 when the Criminal Justice (Aggravation by Prejudice) Bill was supported and moved to Committee stage without reference to Travellers, the State's indigenous minority most vulnerable to racism and discrimination. Recognition now imposes automatic inclusion in such proposed

Bills and in anti-racism and integration policies and initiatives with recognition in place we seek to build on and enhance relationships between the Traveller community and State through their enhanced visibility, improvement in policy, practice and inclusion.

Recommendations

1. Traveller culture and heritage is central to Irish and needs to be enabled and supported to thrive in a New Ireland.
2. Traveller language Cant /Gammon is fully imbedded with investment to revitalise the Irish Traveller Language,
3. Nomadism is supported through a network of county by county locations for Traveller families to move in supporting the economic and cultural way of life of the Traveller community
4. Education Curriculum includes the history and contribution of Travellers today world
5. Political representation, Traveller visibility within Seanad, one seat should be allocated for Traveller representation

Living Without Fear of Prejudice and Racism

The level of racism experienced by Travellers is stark and is reflected in poor outcomes in all government departments- unemployment, health inequality, low educational attainment, poor and inadequate living conditions. ' Traveller experience social exclusion, marginalisation and a multitude of discriminatory practices in everyday life and have not been afforded the same protection as other communities.

Travellers have explicitly said that life has worsened and this is reflected with the poor outcomes for Travellers as a community.

Recommendations

1. Hate crime and legislation needs to be introduced to protect its people from the treat of Racism & violence, equality legislation enhanced to element discriminatory practice in denying services and goods,
 2. Government legislation and policy Traveller proofed prior to being introduced to assess the risk in direct or in direction consequences to the community.
 3. Yellow Flag Programme, an intercultural education programme that builds inclusive school environments. This programme has been delivered in 60 schools, impacting on the lives of 20,000 plus children in primary and post primary schools
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Traveller Accommodation

Travellers have experienced long term insufficient accommodation provision within the state and despite legislation existing over 18years to address those needs; there has been a failure to adequately meet Traveller needs and the mandatory requirements to support Travellers to have a Culturally appropriate home.

Since the Traveller Accommodation Act 1998 the delivery expected with the establishment of the Local Traveller Accommodation Consultative Committee governed by the Minister appointed monitoring body, the NTACC, has not happened. In fact, it has overseen a lack of progress without applying sanctions on Local Authorities. Between 2009 -2013 (the last available data), only **9 out of 34** city or county councils fulfilled their targets for delivery to families in need.

The vast majority of Travellers still live in what would be regarded as poor substandard accommodation, with severe overcrowding on sites, lack of investment in upkeep and maintenance of existing stock. Today **534 families** are now living in unofficial, unrecognised and unserviced accommodation. Families are being forcibly excluded from the private rented market due to high levels of prejudice and discriminatory practices, landlords and letting agencies refusing to lease to Travellers. The systematic failure of the state in not providing culturally appropriate and safe accommodation has, and continues to be, detrimental to the quality of life of the community. In May 2016 the **European Committee of Social Rights** found Ireland to be in breach of its obligations in this respect: with regard to provision of accommodation, living conditions and eviction rights, with the Committee of Minister adopting a resolution in October 2016. Specifically the Committee concluded:

1. Unanimously that there is a violation of Article 16 of the Charter on the grounds of insufficient provision of accommodation for Travellers;
2. Unanimously that there is a violation of Article 16 of the Charter on the grounds many Traveller sites are in an inadequate condition;
3. Unanimously that there is a violation of Article 16 of the Charter on the grounds that the Criminal Justice (Public Order) Act 1994 (as amended) provides for inadequate safeguards for Travellers threatened with eviction;
4. Unanimously that there is a violation of Article 16 of the Charter on the grounds that the Housing (Miscellaneous Provisions) Act 1992 (as amended) provides for inadequate safeguards for Travellers threatened with eviction;
5. Unanimously that there is a violation of Article 16 of the Charter on the grounds that evictions are carried out in practice without the necessary safeguards;

To date no directive or amendment to policy or practice has been instigated by the State in order to redress those violations.

Local authorities continue to fail to provide Traveller specific accommodation in accordance with their own targets. The number of Traveller families living in private rented (owned by private landlords) accommodation has increased and the number of families living in Traveller specific accommodation has steadily decreased over the past decade. Travellers have been forced to abandon nomadism.

In the annual count of 2015 (most recent figures available at present) it was noted that 2,480 families were living in private rented accommodation, with no security of tenure. In the Government's own National Traveller Accommodation Consultative Committee Annual Report 2008 indicated that '*Families accommodated with the assistance of rent supplement are not so secure*'.² The security of tenure is further undermined in a property market where house prices and residential rents are increasing rapidly and dramatically, particularly in large urban centres where large numbers of Travellers reside. Even where a family living in private rented accommodation have accrued so-called Part 4 rights under the Residential Tenancies Act 2004, entitling them to a four-year tenancy, the tenancy can be terminated if the landlord is selling the house, often an excuse used to evict Travellers where their identity has become visible to the landlord.

Overall, national Accommodation policy is not working. The trend continues to be towards increasing numbers of families moving into non "Traveller specific" housing, private rented accommodation. Together with decreased halting site provision and Traveller-specific provision.

The lack of sanctions on local authorities failing to provide Traveller accommodation

Underspending continues in some local authority areas and is fundamentally due to a lack of will, including political will. This is evidenced in domestic court judgments concerning the provision of Traveller Accommodation. Cases also demonstrate lack of sanctions, both legislative and judicial for local authorities who underspend. The courts remain powerless under the current legislation.

The use of the Housing (Miscellaneous Provisions) Act 2002 and other Eviction Legislation

Over the last two decades increasingly regressive evictions legislation have been introduced, whereby speedier and harsher forced evictions are permitted against Travellers living by the roadside or in other informal situations. These eviction laws have been passed and used despite the fact that the Government has singularly failed to implement housing legislation to provide adequate and formal halting sites and other accommodation to Travellers. Here follows an outline of the principal relevant legislation currently in force.

² NTACC Annual Report 2008

National Traveller Accommodation Figures

The situation of Travellers in the republic at the end of 2015 showed **an increase of 89** in the previous year living in unauthorised halting sites. There was also an increase of **135 families** estimated to be sharing accommodation accounting for **862 families**, bringing the total number of people sharing accommodation in permanent bays, basic/transient bays, standard housing, group housing, voluntary housing, private rented, own resources and private houses assisted by council to **1396** Traveller families or over **5,584 children and adults**.

Other families are residing through their own means or in Local Authority Halting Sites, in Standard Housing, Group Housing, Private Housing assisted by Local Authorities and Housing assisted by Voluntary Bodies.

There has been a widespread lack of accommodation provision for nomadic families, a point well highlighted within the NTACC and LTACC's, even though this was prioritised within the Housing (Traveller Accommodation) ACT 1998, and in the 1995 Taskforce on the Traveller Community as being crucial to achieve success within the National Traveller Accommodation Strategy. The **European Committee of Social Rights itself** also found there was a *not insubstantial shortfall of transient sites across the country* and of the 1,000 transient bays identified as needed in the 1995 Task Force Report only 54 are in existence and not all functioning as proper transient sites

Traveller Accommodation Budget allocations

Budgetary cuts to Traveller accommodation (-85% since austerity) remain and for 2017 there is an allocation of 9.3million for capital expenditure compared to 70 million in 2008. During that period there has been consistent underspending of allocations by Local Authorities.

How to address Traveller Accommodation Issues and build a more inclusive Ireland in 2040

The Irish Traveller Movement works towards a vision of a more Inclusive society for every community in Ireland not just the Traveller Community in solidarity with other marginalised communities. We believe in order to achieve this goal every community must have the right to culturally appropriate accommodation of their choice with adequate access to everyday services.

In terms of Travellers we work towards a vision of Travellers being treated and viewed as equal Irish citizens and given the same opportunities as all communities to participate within Irish Society. Having the right to culturally appropriate accommodation. We believe adequate accommodation is key to Travellers equal active participation within the society. We hold a vision for Ireland in 2040 where Travellers have the choice to culturally appropriate accommodation of a high standard and in the range of basic services, where

Travellers can practice their nomadic lifestyle freely without harassment and threat of unjust evictions, where Traveller can reach their true potential in every sector of Irish society.

In order to eliminate the Traveller Accommodation issues outlined in our submission through the State's National Planning Framework Ireland 2040 the Irish Traveller Movement recommends the following:

Recommendations

- Traveller accommodation should be included within `Strategic Infrastructure Development Projects`, including the fast-tracking of Traveller accommodation through the planning process and the zoning of land for Traveller Specific Accommodation.
- Establish a National Traveller accommodation Agency to oversee the implementation of Traveller Accommodation Plans.
- Review and reform of Planning Legislation in consultation with Traveller Organisations.
- Review and Reform of The Traveller Accommodation Act 98 in consultation with Traveller Organisation
- Traveller Accommodation Budget to be ring-fenced for the delivery of Traveller Accommodation with a robust monitoring and evaluation system in place ensuring its efficient expenditure.
- Continued Support of Cena, a voluntary Traveller Accommodation Association, to be rolled out nationally in designing and building culturally appropriate Traveller accommodation and leading the way in best practice.

Conclusion

Our Vision "An Ireland where Travellers are proud of their identity and with their ethnicity now recognised, can achieve their fullest potential and play an active role in Irish society. We want to see the National Planning Framework Ireland 2040 promote pride, culture & identity, and support a more inclusive society that supports Traveller's active, equal participation within all sectors of Irish Society with their identity intact. We hope for an Ireland we all can be proud of".
