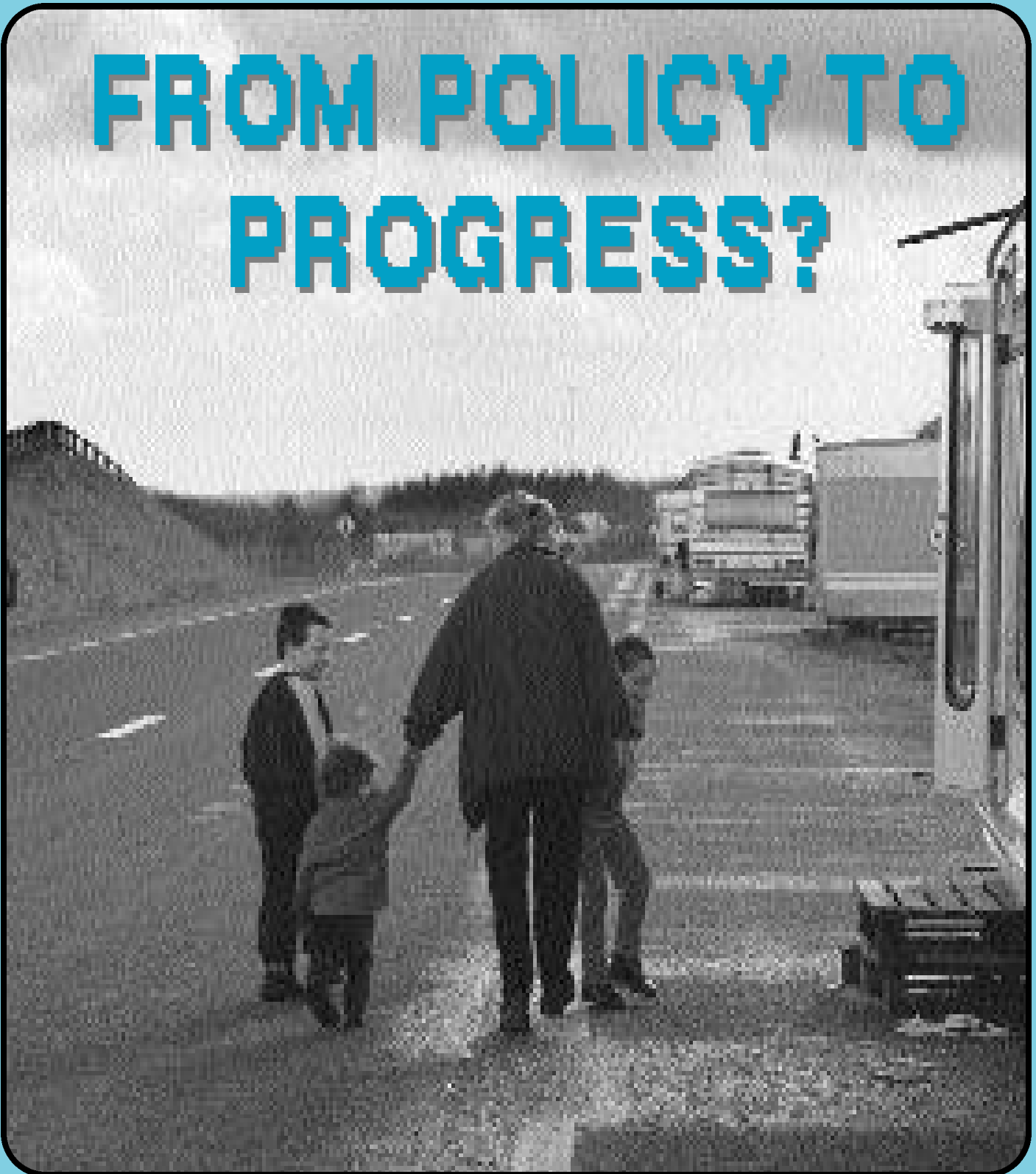
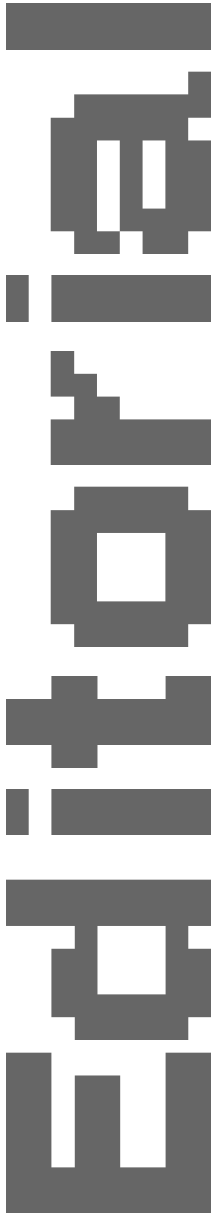


- EQUAL STATUS ACT UNDER ATTACK
- UNFAIR USE OF TRESPASS LAWS
- NEGOTIATING A NATIONAL AGREEMENT



FROM POLICY TO PROGRESS?





It has been a traumatic few months for Travellers and Traveller organisations. Over the summer, Travellers have had to deal with the increased hardship imposed on them by the Housing (Miscellaneous Provisions) Act. In this issue we look at how this legislation has been used to target families already in very vulnerable situations. A number of Traveller families are currently going through the process of seeking a judicial review of the legislation in the High Court and these cases should be heard before Christmas.

Traveller organisations have also been forced to re-evaluate our relationship with the state. This is in response to the way the Housing (Miscellaneous Provisions) Act was introduced. Pavee Point has engaged in social partnership processes in good faith and to achieve positive outcomes for Travellers. This has involved participation in National Advisory Committees in relation to health, education, accommodation and the Monitoring Committee on the Implementation of the 1995 Traveller Task Force recommendations.

Given the breach of Social Partnership processes in the introduction of recent trespass legislation and the lack of progress in the implementation of policies on Travellers, Pavee Point in association with the National Consultative Committee on Racism and Interculturalism (NCCRI), undertook a piece of research on institutional mechanisms to support the implementation of policies on Travellers.

In this issue of our newsletter we summarise our research into this issue in the hope that it will provide material for discussion that can contribute to the thinking of both NGOs and Government.

Traveller rights are human rights - these cover the right to a proper standard of accommodation, right to health, right to education and a right to one's own culture. In this issue we explain the issue of Traveller ethnicity which situates Traveller rights squarely in the arena of human rights.

It is interesting to note that at a time when Europe Union is considering the issue of enlargement and demanding a certain standard of achievement in terms of human rights from possible new members - that if Ireland were to apply now to join the EU it probably would not qualify for membership given the status of Travellers in Ireland!

There is a need for a renewed political vision that sees human rights, including Travellers rights, given the priority that is necessary for a humane, inclusive society and anti-racist society.

Ronnie Fay, Director

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Many Traveller families, who are on local authority accommodation-waiting lists, have suffered as a result of this legislation. In fact, it has often been the most vulnerable members of the Traveller community who have suffered.

permanent accommodation as well as families without.

On presenting to the housing authorities in the London, these families applied for accommodation under the Homelessness Act on the ground that they were experiencing harassment in this country.

Legal Challenges to the Legislation

A number of Traveller families have applied for judicial review of the Housing (Miscellaneous Act) 2002. None of these reviews have been heard in full, but hearing dates are set for the High Court for October.

It is only possible to seek judicial review in a situation where Traveller families have refused to move. This means that these families have had to go through the process of arrest, court appearances, release on bail, the confiscation of their caravans and then possible re-arrest.

Five Traveller families from Ennis, whose caravans were impounded, were also left homeless after their arrest. One family, with 10 children, were forced to go and look for B& B accommodation or sleep in the back of their van. Another couple are currently sleeping in their car.

Two of these Traveller families made an interim application to the High Court in September. Their application, to replace their homes on sites from which they had been seized, failed. However, it was acknowledged in court that in, at least one case, the caravan had been parked on a public road and therefore was outside the remit of the Housing (Miscellaneous Provisions) Act.

Because road encampments are outside the remit of the Act, Travellers are being forced to camp on main roads. This further endangers Traveller families and Traveller children, in particular.



The Housing (Miscellaneous Provisions) Act 2002 came into operation on 2nd July this year. When the Government introduced this legislation it was promised that this legislation would not be used against Travellers living on the roadside and awaiting accommodation. Instead, it was promised it would only be used in instances of 'largescale illegal encampments'.

Unfortunately this has not been the case. Many Traveller families, who are on local authority accommodation-waiting lists, have suffered as a result of this legislation. In fact, it has often been the most vulnerable members of the Traveller community who have suffered.

The legislation makes it a criminal offence to trespass on and occupy public or private property. This offence is punishable by immediate eviction, a month in jail and/or a €3,000 fine and the confiscation of property.

The legislation also allows for Travellers to be moved on if they are camped within a mile radius of any site provided, managed or controlled by a housing authority.

Use of the Act

In one case, the 2002 Act was used against a Traveller mother living with her children in a local authority carpark in Wicklow town and awaiting accommodation. In Lucan the Act was used against a widowed woman living on her own. Contrary to what Minister O'Donoghue said the Act is hitting Traveller families who are already vulnerable.

There have been 40 reported cases of the use of this legislation in Cork. In Clare the Act has been used in relation to 15 Traveller families and another 4 Traveller families have been moved repeatedly using this and other legislation.

In Mayo the use of the Act was threatened in the case of 4 Traveller families in Ballina who were part of the local Traveller Accommodation Programme. As a result one family were forced to withdraw their 8 children from the local school.

The Act was also quoted in the case of 10 Traveller families in Castlebar, who are also part of the local Traveller Accommodation Programme. Pavee Point and many local groups including Mayo Traveller organisations have called for a moratorium on evictions.

Work of Traveller Organisations

In some areas Traveller organisations managed to broker situations with the local authorities where the legislation would not be used in terms of Travellers who were part of the local Traveller accommodation programme. This was the situation in Tallaght where 40 Traveller families were camped at Fortunestown.

While the local authority accepted a 'duty of care' in terms of about 6 Traveller families, the legislation was used to threaten eviction on about 34 of those families who are not part of the local accommodation programme. Meanwhile local residents were protesting and calling for the use of the Housing (Miscellaneous Provisions) Act.

These 34 Traveller families agreed to move on so that the other Traveller families could stay.

However, this month the local authority has served notices under this Act on 6 other Traveller families in the area.

In Clondalkin the local Traveller organisation met with local Gardaí and the Gardaí agreed not to pursue prosecutions unless complaints were made from landowners.

Traveller organisations report that, as well as using the 2002 Act, local authorities are also using Section 24 of the 1998 Housing (Traveller Accommodation) Act. This refers to Travellers living within a one mile radius of an existing halting site.

Other Knock On Effects

One caseworker at the London Irish Centre reported Traveller families presenting to the Centre, having left Ireland because of the Housing (Miscellaneous Provisions) Act, 2002.

These Traveller families, native to Ireland, reported that they didn't want to leave Ireland but felt they had to. They said the Act had put an enormous strain on the amount of halting sites currently available in Ireland and was affecting families in

Use of Trespass Legislation

Equal Status Act *Under Attack*

A recent court decision to go ahead and re-issue Westport publican Chris Lavelle of the Vintner's Federation of Ireland with a pub licence despite an admission by Mr. Lavelle that he had broken the law in banning Travellers, was greeted with shock and dismay by local Traveller groups and by Pavee Point.

However, Judge Mary Devins severely criticised the Vintner's Federation for what she termed 'blatant, crude and calculated' attempt to have the Equal Status Act changed. This confirms what Pavee Point has been saying throughout the summer.

The Vintner's Federation have been using Travellers, and people's bad opinion of Travellers, in an orchestrated campaign to have the Equal Status Act changed.

On 1st of August this year, the Vintners Federation of Ireland announced a blanket ban on Travellers in public houses in Westport, Co. Mayo. The Vintners were also reported as considering a nationwide blanket ban on serving Travellers in pubs. The Vintners Federation of Ireland represents publicans outside of Dublin.

To support their action the Vintners Federation made a series of statements in the media, both print and broadcast, that were highly inflammatory and irresponsible.

Vintners claimed, in highly emotive language, that Equal Status Act meant that they were forced to serve Travellers who were, allegedly, behaving badly. This is a serious misrepresentation of the Equal Status Act.

This Act is not an excuse for bad behaviour. In fact, Section 15 of the Act specifically allows for publicans to refuse service if pub customers or pub property is perceived to be in danger.

Pavee Point and other Traveller organisations counteracted the Vintner statements whenever possible and pointed out the misinformation the Vintners were disseminating. This was supported by the Irish Human Rights Commission, the National Consultative Committee on Racism and Interculturalism and Amnesty International.

The Vintners' statements were coupled with newspaper advertisements criticising the Equal Status Act. This confirmed to us that the Vintners' were using the prejudice in our society against Travellers to undermine the Equal Status legislation.

The reported ban of Travellers by the Vintners resulted in Willie O'Dea TD, Minister of State at the Department of Justice, Equality and Law Reform intervening in the situation. The Minister held bi-lateral meetings with the Vintners Federation and Traveller organisations on 12th of August.

As a result of these meetings the Vintners agreed not to go ahead with their reported nationwide ban on serving Travellers. And, Traveller organisations agreed to make a submission to the Commission on Liquor Licencing which is reviewing all legislation in terms of publicans' 'right to refuse'. Minister O'Dea also gave a commitment that the Equal Status Act would not be tampered with and asked those involved not to use inflammatory language in the future.

It is our view that the Vintners Federation of Ireland is intent on legislation to allow its members to refuse to serve Travellers simply on the basis of their Traveller identity. In other words, they want the law changed so publicans can discriminate against Travellers.

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This view is supported by recent calls by Noel Grealish, TD of the Progressive Democrats for 'legislative change to allow publicans the right to refuse members of the Travelling community', as reported in The Irish Times. This call was

supported by Galway Mayor, Cllr Val Hanley of Fianna Fail - who is also the public relations officer for the Connacht branch of the Vintners' Federation of Ireland.

The need for the Equal Status Act to be maintained and strengthened is shown in the first cases taken under the Equal Status Act on the grounds of 'race' and disability, which were decided this summer.

Complaints under the Equal Status Act come from a wide range of people. The most complaints under the Act were made by Travellers. This reflects the work Traveller organisations had undertaken in creating awareness among Travellers of the legislation and the extent of discrimination against Travellers. However, last year 33 cases were taken by members of other ethnic groups and 61 cases were taken by people on the grounds of age, 30 cases on the ground of gender and 21 cases on the ground of sexual orientation.

Pavee Point has made a complaint against Tadhg O'Sullivan of the Vintners' Federation of Ireland under the Prohibition of Incitement to Hatred Act.

Pavee News

Public Lectures *on* Travellers

Jane Helleiner is a Canadian anthropologist. Last year she published her book "Irish Travellers - Racism and the Politics of Culture". Using different types of research, her study documents anti-Traveller racism in Ireland and explores the ongoing realities of Traveller life.

Ms. Helleiner first visited Ireland in 1983-4 and became interested in Travellers. During her second visit in 1986-7 she and her husband spent nine months living in a trailer at a Traveller camp in Galway. Several shorter research trips took place in 1994/95/97 and 1999.

This November, Ms. Helleiner will return to Ireland to conduct a series of public lectures and workshops, as a guest of Pavee Point's Community Development Programme. The first lecture will take place at 7.30pm in the Wyatt Hotel, Westport on 18th November and the second at 7.30pm at Pavee Point on the 20th of November. These will provide rare opportunities to discuss her work and the issues it raises. Information on her public lectures will be sent out or you can contact Alison Fox at pavee@iol.ie.

Jane Helleiner has been a visiting professor at Trinity College, Dublin and is currently an associate professor in the Child and Youth Studies and Sociology Departments at Brock University.

Traveller Workshops *on* Drugs

Pavee Point organised a number of information sessions for Traveller organisations and Traveller Training Centres on the issue of Travellers and Drugs. It is hoped these workshops allowed Traveller organisations to exchange information on drug use and to look at ways to develop responses.

Each workshop looked at:

- The National Drugs Strategy
- Travellers and drug use
- Proposed research by the National Advisory Committee on Drugs
- Pavee Point's Information Pack on the issue of Drug use, specifically for Travellers

The workshops took place in Cork, Galway, Dublin on 16th, 17th, and 24th October

For further information contact Deirdre McCarthy, Thomas Collins or Sinead Smith at Pavee Point email: pavee@iol.ie.

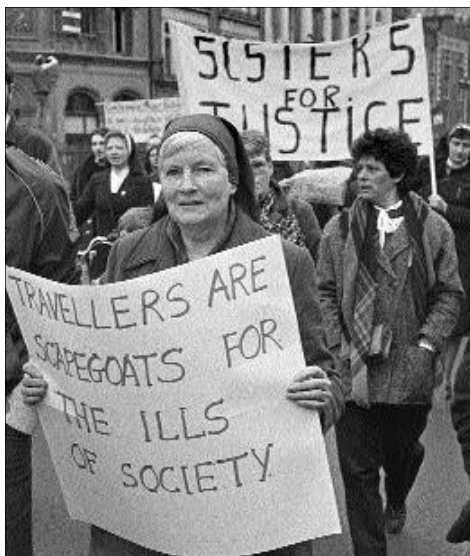


Photo by Derek Speirs

Helena Brennan, SHCJ

Helena Brennan died suddenly on Wednesday, 16th October 2002, as the result of a stroke. Originally from Roscommon, Helena was a member of the Holy Child Sisters. She worked for 20 years in Nigeria and Ghana, where she made a major contribution in the education and development fields. When she returned to Ireland she went to live in St. Oliver's Park, Clondalkin. She was actively involved in the struggle for Travellers rights (as the photograph indicates) and she was prepared to take courageous stands when needed. She was a founding member of Pavee Point, and a member of the first Steering Group during the years in 90 Meath Street. For the rest of her life she remained a strong supporter of Pavee Point and a personal friend of many Travellers families.

When Helena subsequently moved to London, she lived and worked in Broadwater Farm where there was a lot of tension and racism during the 1980s and 90s. She returned to Dublin in 1997 and lived in Gardiner Street until her health deteriorated. From then she lived with the Holy Child Sisters in Harcourt Street Convent, and there she was to be seen frequently in her motorised wheelchair, supporting people and going about her business, living her commitment to truth and justice to the end.

Helena lived in solidarity and friendship with people on the margins. She worked with them to promote truth and justice, and she saw this simply as her duty as a human being, as a Christian, and as a Religious. Helena will be much missed by family, Sisters and friends throughout the world, and Pavee Point is indebted to her contribution and her friendship.

Summer Projects

During July, the Pavee Point Youth Work Programme delivered summer programmes in three North Dublin sites - Coolock, Dunsink and Avila Park. The programmes catered for young Travellers aged between 12-17 years of age with a range of activities involving outdoor pursuits and challenges, exploring new places and for the main part having endless fun!

The programmes were delivered by a combination of people who worked together to provide fun-filled, exhaustive days. Those involved included our own youth work team, a student on placement and a number of volunteers. Without these volunteers, who gave their time and energy willingly, we would not have been able to run our programmes.

Overall, the projects ran quite smoothly and proved successful with only minor hiccups along the way - yet again the glorious Irish weather proving the most challenging!

Some of the most popular activities were hill-walking, banana boating and a trip to see The Chastitute at the Gaiety Theatre.



Pavee Point's Young Womens Group at activity camp in Co. Monaghan.



Young Travellers from Avila Park walking the Wicklow Way.

TESIP Success for Young Traveller Men

The first part of a new initiative for young Traveller men in the Finglas area, has resulted in 3 young Traveller men getting involved in further education.

The project, which was co-ordinated by Pavee Point's Traveller Economic and Social Inclusion Programme (TESIP) was aimed at young men not involved in education, either formal or informal, or involved in any youth programmes.

The project managed to attract 4 young Traveller men - the youngest of whom is 14 years of age. And, the success of the project is largely due to the fact that the young men themselves were asked to identify their own needs in terms of their long-term futures.

The first part of the programme concentrated on building up an understanding and confidence among the men in their own Traveller identity. Patrick Nevin of TESIP explains: "It was very important for the lads to be able to develop into a group and voice what it was they wanted in terms of supports."

"They were encouraged to be positive about their Traveller identity. It was important that they had the space to discuss what it was like to be a young Traveller man in today's world," he said.

In their discussions the group decided they would like to access further education. They felt the formal education system had failed them. Now they wanted the chance to learn - a chance they had not received in school. They partook in computer, literacy and music classes. Three of the four have now moved on to study for the Junior Cert. through Community Training Workshops. The fourth, who is too young for Community Training, is receiving one-to-one tuition.

"The project confirmed what we believed," said Patrick Nevin, "A Traveller specific programme was necessary to enable a foundation to be built before these lads felt able to enter a wider training sphere."

Patrick hopes that this initiative will begin again in January with a new group of young Traveller men and, to this end, networking and outreach work is currently underway.

Women *and* Anti-Racism

Representatives from Pavee Point's Primary Health Care Project, Cultural Heritage Project and the Roma Support Group recently attended a conference entitled Women Together: Celebrating Diversity, Challenging Racism, organised by the National Women's Council of Ireland.

Women from various communities sang, shared and worked together at this one-day event.

The event opened with creative presentations - including traditional singing from Pavee Point's Mollie Collins and Winnie Kerrigan. Rosaleen McDonagh of the National Traveller Womens' Forum also recited a powerful piece of her own poetry "I am the Woman".

Groups then did challenging but productive work looking at women's experiences of racism in media, health, education, accommodation and the use of art in political action. Discrimination, negligence and xenophobia were common themes across all groups.

"In sharing examples of each community's challenges and accomplishments, we considered the differences in our individual experiences as well as the similarities in the impact of such experiences, and worked on practical ideas for further change," said Margreth Tolson of Pavee Point.

"Not only was it stimulating to attend a creative and action-oriented meeting, it was also encouraging to see cross-community solidarity work and development of a strong foundation for future collaboration," she added.

Cant for Children

The FÁS supported Cultural and Heritage Training Programme started anew this month with five new trainees and new co-ordinator. The sixteen strong group of women will maintain their core modules of literacy and drama and are currently developing and testing other modules.

According to Assistant Co-Ordinator Winnie Kerrigan "We are looking at working on and producing some material in Cant that would be aimed at young children and infants, in a way that would promote our language and make sure it stays in use for the next generation." Other possible projects include photography, crafts, public presentation and speaking and civic awareness.

Continuing from last year the collection of Traveller oral history will be built upon through field recordings by the team to be transcribed and archived in the Pavee Point Cultural and Heritage Centre.

Additionally the Cultural and Heritage Training Programme will be working to ensure accreditation on all modules undertaken and developed this year, mainly through FETAC, and with some of the group studying for junior cert it looks like another busy year for the trainees.

For any information on this year's training programme or for application forms please contact Winnie Kerrigan or Killian Forde.



From Policy to Progress

Recent developments, or lack of development, has prompted Pavee Point to review its strategy in terms of achieving improved living conditions for Irish Travellers. This has resulted, firstly, in a piece of research, which examines alternative mechanisms that could deliver change for Irish Travellers.

This research aims to develop a policy discussion paper that can contribute to the thinking of both NGOs and Government.

The research identifies some of the key weaknesses and strengths of the present approach and its infrastructure. It looks at other approaches and infrastructures adopted in other areas - childcare, drugs, roads and refugees and asylum seekers. The research then makes proposals to strengthen implementation procedures.

This research refers to previous research commissioned to review the mechanisms introduced to support the National Anti-Poverty Strategy. This noted 12 important features apparent in successful mechanisms. Our research shows that of those 12 features only 4 are evident in current mechanisms to implement Traveller policy.

Current structures DO have:

- National and local linkage
- Reporting and monitoring mechanisms
- Budgetary process
- Involvement and consultation.

Current structures DO NOT have:

- Mechanisms at the political level to ensure leadership and accountability
- Statutory or legal status (Except for National Traveller Accommodation Consultative Committee)
- A strategy that is complementary to other strategies
- Administrative co-ordination and leadership
- Administrative championing and advocacy
- Policy guidelines for effective implementation
- Tools to proof policy
- Support agencies for technical, research or data assistance

Our research also shows that a successful strategy needs to take the political mood into account. We state that political pragmatism has now replaced political vision. There is little energy for

institutional change, a move away from processes that emphasise consultation and a move away from legislative institutions towards more programme related implementation.

In focusing on features of successful implementation it is stated in our research: "Little will happen without some interaction with the political process and some way of reinforcing the issues as political priorities in Ireland. This can happen in various ways but it is clear that whatever new institutional mechanisms are developed that there needs to be direct linkage with the political system.

This is usually done through a junior ministry and a direct reporting relationship to a political institution be it a Cabinet Sub Committee, a Dáil Committee or a Minister."

This research also highlights the effectiveness of linking budgets to performance in reaching established local delivery in terms of equality and eradicating disadvantage. This would mean that local budgets would be dependent on achieving local indicators such as provision of accommodation.

It states that a re-engagement strategy is also necessary - based on a renewal of focus, a renewal of partnership and a new shared understanding. This is necessary to underpin the way forward.

The research then goes on to put forward four options proposing different mechanisms for change. All of the models assume a political champion and all reflect the analysis that Traveller issues are too diffused at local level and need to be repositioned nationally so there is accountability at national level.

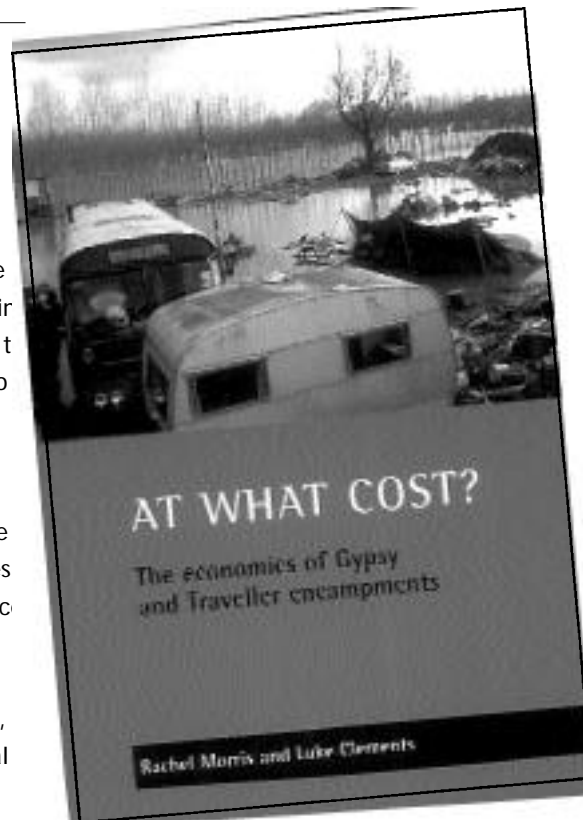
Using this research, and the discussions that arise out of it, Pavee Point will, over the next few months, develop and promote a revised strategy for change.

At What Cost?

There has been little progress on Traveller accommodation in the UK since the Conservative governments reform of the law and policy relation to Travellers in 1992. A primary motive given for legal reforms at the time was that the cost to the public purse of providing sites for Travellers was unjustifiably high. Yet no study was ever done into the costs of not providing sites.

In a new book 'At What Cost?' the Traveller Law Research Unit at Cardiff Law School looks into the costs associated with 'unauthorised' encampments in the UK. As well as examining the costs to local authorities the book also examines the financial, human and social costs experienced by private landowners, police services and Travellers themselves.

This book is invaluable reading for practitioners and policy makers in housing, planning, equality issues, education, welfare and policing at local and national levels. The book, by Rachel Morris and Luke Clements, is available from the Traveller Law Research Unit at email: tlru-1@cardiff.ac.uk



Seminar on Responses to Domestic Violence

Pavee Point's Violence Against Women project in collaboration with Women's Aid are holding a three day training seminar on the issue of 'Violence Against Traveller Women, Developing culturally appropriate and effective responses'.

Since 1998, Pavee Point has been working proactively on the issue of Violence Against Women. An increasing number of Traveller organisations are encountering the issue in their work and wish to make appropriate responses. Many have been requesting advice, information, support and training.

It is envisaged these seminars will give an insight into the analysis of domestic violence as well as identifying the range of services that are available. It will also explore the specific issues and obstacles that Traveller women experiencing domestic violence encounter. It is hoped that as a result of the seminars, Traveller groups will be better positioned to undertake effective and culturally appropriate responses to this challenging issue. The dates of the seminars, which will take place at Pavee Point, are:

- Tuesday 28th January - Developing an understanding of domestic violence.
- Tuesday 11th February - Options and obstacles available to women experiencing violence.
- Tuesday 25th February - Issues specific to Traveller women who experience violence.

For further information contact Winnie McDonnell or Lena Joyce at Pavee Point.



Back row: Paddy Collins, Patrick Neoin, Brendan Ó Caoláin, Killian Forde, John Paul Collins and Paddy McDonagh
 Front row: Thomas Collins, John Paul Collins, Bernard Collins and team mascot.

SOCCERFEST

A great morning was had by supporters and players alike when Pavee Point took part in the 6th Annual Soccerfest organised by Sport Against Racism in Ireland.

The Pavee Point/Northside Traveller team played three matches at the Law Society Grounds on a glorious sunny Saturday morning. Although our team didn't get through to the finals they did us proud - especially our striker - Thomas Collins.

Nigeria FC went on to win the competition final against Canal Communities in a penalty shoot out. There were 43 teams in this year's competition - the biggest and best yet. The Soccerfest was sponsored by the Dublin Brewing Company and the Dublin Innercity Partnership.

Negotiations *for a* National Agreement



Pavee Point, as a member of the Community Platform, is currently preparing for the next round of national negotiations.

Every three years the Government, the trade unions, the employers, the farmers and the community and voluntary sector come together in partnership to negotiate a national agreement on pay and social inclusion.

The Community Platform consists of 26 national organisations and networks, working at grass roots level, representing people and communities experiencing poverty, inequality and exclusion. The role of the Community Platform is to bring the issues of poverty and inequality to the negotiating table. The Community Platform has agreed a set of demands around these issues.

During the lifetime of the last national agreement the Community Platform felt there was a definite roll-back on the part of Government in regard to equality issues. There was no agreement in the negotiations for the introduction of regressive legislation in terms of Travellers, people with a disability and asylum seekers.

This prompted the Community Platform to walk out of the last plenary meeting of the last national agreement. The Community Platform now considers that it has an important watchdog role. It is important to try and ensure that commitments to equality and inclusion that have been achieved - are maintained.

Negotiations

In relation to Travellers the Community Platform will negotiate for:

- Institutional mechanisms to deliver policy commitments.
- Measures to increase Traveller Representations in the political process.

- A support programme of advocacy workers for Traveller organisations.
- The provision of resources to employ accommodation workers in Traveller organisations.

In terms of other issues of inequality and exclusion the Community Platform will negotiate for:

- Sustainable development by increasing social spend.
- A fair deal for people on social welfare.
- Equality proofing within state systems to ensure equality is brought into the mainstream.
- Commitments on Community Employment, progressing participants to real jobs and promotion of the Social Economy.
- Access to employment for low income earners.
- Measures to improve childcare, elder care and care of people with disabilities.
- More open policies on asylum seekers and refugees by setting up the independent Refugee Advisory Board.
- Rights based legislation for Disabled People.
- Increased access and eligibility to all health services.
- A maximum waiting time for people on local authority waiting lists.
- Access to education and equality of outcomes within education.
- Full implementation of the revised National Drugs Strategy.
- Increased resources for the community and voluntary sector.

Negotiations are due to start in November. The Community Platform will be launching an information initiative around the negotiation on 29th October. If you would like further information please contact Sharon Keane at the Community Workers Co-Operative. Email: cwc@iol.ie



COMMUNITY PLATFORM
CHALLENGING POVERTY & INEQUALITY

'What's in it for me, as a Traveller, if Travellers are recognised as a minority ethnic group?'

Irish Traveller

Pavee Point has argued since the mid-eighties that Travellers are a minority ethnic group; that the nature of the exclusion facing Travellers is racist; and that the denial of Travellers' human rights is at the core of the problem. It is ironic that a time when racism is finally been acknowledged as an issue to be addressed within Irish society, that Traveller organisations find themselves constantly having to remind others that racism is not a new issue and is at the foundation of the marginalisation facing Travellers.

So what is an ethnic group and why is it not only helpful but essential to recognise Travellers as one? In 2000 a number of Travellers wanted to take a discrimination case in England under the Race Relations Act (1976) against a number of pubs that had refused them service. It was decided that before the case could proceed it must be ascertained if Irish Travellers should be recognised as a minority ethnic group under the Act.

The Court took into consideration other cases where the issue of ethnicity has been discussed. In particular a 1983 case referred to as *Mandla* whereby the Judge noted that "For a group to constitute an ethnic group in the sense of the Act of 1976, it must, in my opinion, regard itself, and be regarded by others, as a distinct community by virtue of certain characteristics. Some of these characteristics are essential; others are not essential but one or more of them will commonly be found and will help to distinguish the group from the surrounding community. The conditions which appear to me to be essential are these: (1) a long shared history, of which the group is conscious as distinguishing it from other groups, and the memory of which it keeps alive; (2) a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance." (p13)

In a New Zealand case cited it was noted that "a group is identifiable in terms of its ethnic origins if it is a





segment of the population distinguished from others by a sufficient combination of shared customs, beliefs, traditions and characteristics derived from a common or presumed common past, even if not drawn from what in biological terms is a common racial stock. It is that combination which gives them an historically determined social identity in their own eyes and in the eyes of others outside the group. They have a distinct social identity based not simply on group cohesion and solidarity but also on their belief as to their historical antecedents." (p14)

How relevant are these definitions in the Irish context? Well in the Equal Status Act a definition of Travellers is included which was based on the definition used in the Northern Ireland Race Relations Order, which

evolved out of British case law. This definition says that "An ethnic group as an involuntary group which shares a common ancestry, culture, history, tradition, and sense of belonging or peoplehood and that is a political and economic interest group. Ethnicity is a way of categorising people on the basis of self-identification and ascription by others." Travellers are identified both by themselves and others as a separate group within Irish society.

"If they don't recognise us as an ethnic minority then they could assume that we are failed settled people who, with the right supports, could fit it again. This is assimilation and was the Government's policy from the 1960s to the 1980s. It failed to address Travellers issues as it failed to tackle discrimination, it failed to acknowledge and validate our culture. This is racism in action and it must be properly addressed.

As a former Spanish MEP at an European Conference on racism said 'I am Spanish and I am a Gypsy and I know I am a member of a minority ethnic group'."

Irish Traveller

Regrettably this recognition often manifests itself negatively: as is evident in the objections to the provision of Traveller accommodation and the discrimination in a wide range of services and opportunities generally available to others. The challenge to us as a society is how we can constructively recognise diversity and build it into our policy and practice at both the local and the national levels. To this end the implementation of overarching recommendation of 1995 Task Force report on the Travelling Community is pertinent. This recommendation said "that the distinct culture and identity of the Traveller community be recognised and taken into account." (BR.1, p80).

Even though officialdom has been slow to recognise Travellers as a minority ethnic group there has been implicit recognition through, for example, the involvement of Traveller representatives in the co-ordinating committee for the European Year Against Racism (1997) and the National Consultative Committee on Racism and Interculturalism. Similarly, Ireland has reported on the issues facing Travellers and the progress made by the State in addressing these issues under the International Covenant on Civil and Political Rights, Article 27. Other commentators, besides Pavee Point, have interpreted this as an official recognition of Travellers as a minority ethnic group. This article states

that "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, or use to their own language."

So what did the Court in England decide? The judgement said "Our conclusions therefore

are that of the two essential characteristics, namely the long shared history and the cultural tradition, we are satisfied that both of these criteria have been sufficiently satisfied....It follows, therefore, that our conclusions clearly are that we are satisfied that the Mandla criteria are satisfied in this case, and therefore Irish Travellers may be properly identified as an ethnic minority, so we answer the preliminary question in the affirmative." (p39)

Council of Europe Visits Irish Travellers

From October 13 to 16, Council of Europe delegates from 44 different countries were in Dublin for a meeting of the Specialist Group on Roma, Gypsies and Travellers. The visit was jointly hosted by Pavee Point, the National Committee on Racism and Interculturalism and the Department of Foreign Affairs.

The delegates got an overview of the situation of Irish Travellers through visiting Travellers sites in North Dublin and visiting Pavee Point and seeing the range of actions and programmes the organisation is involved in.

The delegates also met with Government representatives from the Departments of Justice, Equality and Law Reform, Health and Children, Education and Science, Environment and Local Government, Foreign Affairs and Social and Family Affairs alongside ngos from Pavee Point, the National Traveller Women's Forum, the Irish Traveller Movement, Clondalkin Travellers Development Group and the Tallaght Travellers Development Group.

"What we discovered," said Dr. Claudio Marta, an Italian delegate to the council of Europe and an anthropologist at Naples University, "Is that host societies all over Europe treat Roma, Sinti, Gypsies and Travellers the same way. It doesn't matter what history or ethnic origin a nomadic group has. The same stereotypes exist in Italy in regard to Roma and Gypsies as exist in Ireland in relation to Irish Travellers."

"We learnt a lot. And we learnt that we should focus, in the Council of Europe, more than we have in the past on the situation of Roma and Travellers in Western Countries. Italy, for example, would not be a good model for other countries."

"There are problems, as in other countries, where policies at national level are sound. The issue is how to make these policies work in reality in local areas."

May Bittel of Switzerland said minority ethnic groups and majority populations should work together to find solutions to the problems of discrimination. He recognised the openness of the Irish people he met here. "It surprised me that despite this openness and the work that goes on in terms of human rights that there is a law criminalizing trespass. Travellers musn't lose courage," he said.

The delegates then held a business meeting of the Specialist Group. It is clear that, in the future, a focus on Travellers and Western Europe will be given greater priority.

Dublin's Lord Mayor, Cllr. Dermot Lacey welcomed delegates to City Hall where Roma music was enjoyed, courtesy of the Roma Support Group. The Lord Mayor acknowledged that while progress had been made many Travellers lived in unacceptable conditions.

Following their meeting, the Specialist Group on Roma, Gypsies and Travellers will circulate a written report of the meeting to all permanent delegates of the Council of Europe who will then circulate the report within their own organisations and institutions.

The Council of Europe was established in 1949 and has worked strenuously on the legislative recognition of Human Rights. In 1959 it established the European Court of Human Rights.



Council of Europe Delegates on sites in North Dublin.

Pavee Feens Hawken

(Traveller men working)

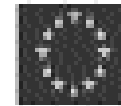
This new project, based at Pavee Point, will work with men who are involved in the Traveller Economy or who would like to be involved in it. The Traveller Economy consists of self-employed Travellers working in a flexible way that responds to various market trends. Its key features are nomadism, the extended family as the basic economic unit and the home base and work space being one and the same.

The project will be piloted in at least two areas, Galway and Clondalkin, with up to 10 people in each pilot. These pilots will run from Easter 2003-Easter 2005. Outreach workers in these areas will be spreading the word about the project and looking for potential participants.

This autumn will see meetings in Galway and Clondalkin to talk to Traveller men to find out the best way of working and what the most useful supports would be. These supports could include: legal advice, help with money, credit and banks, social welfare advice, business development advice as well as opportunities to visit and look at the work of project partners in France. The pilots will be designed to suit the needs of participants and an allowance will be paid. This allowance will not affect Social Welfare payments.

The project will develop a Demonstration Model for working with Traveller men. Many EU projects in the past have worked with Traveller women and this is the opportunity for men to get involved.

This project will also work with agencies that would like to work more with Travellers but feel they have no expertise in the area. It is planned to make a video of the project to be shown to other agencies and groups to demonstrate how the Model can be used. There will be 3 newsletters issued throughout the lifetime of the project and research will be commissioned on



FINANCING SOCIAL FUNDS
to equal sharing, employment by
promoting responsibility. The business
open and equal opportunities and
contributes to human resources



the theme of cultural diversity within work practices and organisations.

On Friday 22nd of November a Project Development Workshop will be held in Pavee point for all interested parties and organisations. This workshop will be an opportunity to hear more about the project. A keynote address will be made by Jane Helleiner, Canadian anthropologist.

This project is funded by EQUAL, the European Community Initiative which is administered by the Department of Trade, Enterprise and Employment. Traveller groups - Pavee Point, Exchange House, Clondalkin Travellers Development Group and Galway Travellers Support Group - and FÁS, IBEC, the Irish Trade Union Trust and Finglas/Cabra Partnership form the Traveller Economy Sectoral Partnership which has responsibility for the project. Each of the members will play an active role in the support and development of the project and in the dissemination of the learning which will come from it.

Our transnational partners are UNISAT and the French National Union for Gypsies and Travellers.

For further information contact Elizabeth Davidson, Project Co-Ordinator at Pavee Point. email: te@pavee.iol.ie



Rosaleen's a Winner

Rosaleen McDonagh was, this summer, the first ever Irish Traveller to run for election to Seanad Éireann. She won an amazing 5 per cent of the vote in the Trinity College Constituency. Here, she gives her perspective on the experience.



Rosaleen McDonagh (centre) at the election count

and one person I needed to ask to get me the nomination papers because they were in an inaccessible building.

The phonecalls were to people who would become my campaign team. They were people that knew me very well and that knew the way I worked and believed in the symbolism of such a campaign. I called them my kitchen cabinet.

"On May 2nd I put on my gold hoop earrings, my make up and my t-shirt that said 'Traveller Rights are Human Rights'. We were demonstrating against the, soon to be enacted, Trespass Act 2002. The march itself was atmospheric in terms of Travellers expressing activism and demonstrating pride in our culture.

I had a campaign manager, a political strategist and two or three other people who did technical support and that were available to me unconditionally. The most important decision for me was not about putting myself forward but it was the people I chose to have around me.

I used the opportunity to chat with other Travellers from around the country. Something was in my mind but I couldn't articulate it. I thought it would be too arrogant, too pompous. How would I do it? Who would help me? More importantly, would Travellers support me?

I was in charge there were no soundbites, no fancy techniques. Yes, I was worried about the media, yes I wanted to protect my family and no, I am not an expert Traveller and I worry I'm not always up to speed with new developments in the area of Government policy. But, I did it.

I wanted to put myself forward for the Seanad elections as a Trinity graduate. There were three people I needed to phone

I didn't get elected, but I was so proud, particularly at the response by so many Travellers and yes I will do it again."

The Traveller Child

Colette Murray, the coordinator of the Early Childhood Programme will be presenting a paper in November entitled, 'The Traveller Child, a Holistic Approach' at a conference on 'Diversity and Young Children' at the University of Strathclyde in Glasgow.

This paper also formed part of Pavee Point's contribution to a book published by Barnardos "Diversity in Early Childhood, A Collection of Essays". A paper entitled 'Diversity as a Majority Issue' was also contributed. Free copies of the book are available from Barnardos Resource Centre in Dublin Tel: 01 4549699.

Meanwhile, a submission was made by the Programme last month on 'Promoting Anti-Racism and Interculturalism at all levels of the Education System'.

The 'éist' project will be piloting a diversity education module over the forthcoming academic year with second year students on the degree course in Early Childhood Care and Education in the Dublin Institute of Technology.



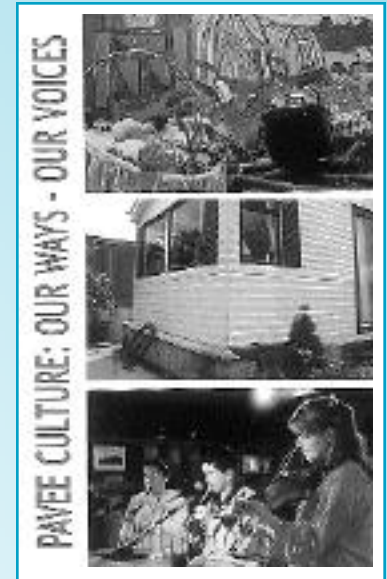
PAVEE POINT DONATIONS

Pavee Point would like to bring it to your attention that we DO NOT conduct door to door collections at any time of the year.

New Pavee Resources

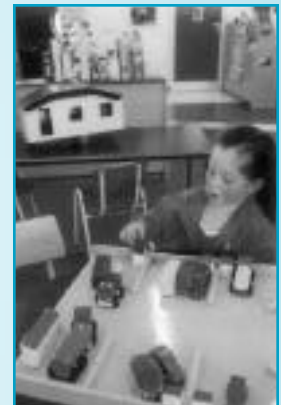
Pavee Culture: Our Ways -Our Voices

This video is a documentary exploring the richness of Traveller Culture - both past and present. It examines areas such as Traveller language, nomadism, the oral and music traditions, the Traveller economy and extended family networks. Combining contemporary with archive footage, the documentary is a valuable resource which can be used to raise awareness and generate discussion of this often ignored and neglected feature of the Irish cultural landscape. €25.00



Early Years Pack

This is a pack containing four full-colour posters and 6 sets of full-colour picture sequence cards. These represent children from a variety of backgrounds, cultures and ethnic groups and are for use in crèches, pre-schools and early primary education settings. €20.00.



Job Vacancies - Vacant Jobs

This new piece of research illustrates that access to employment, enjoyed by so many in Irish society in recent years, has not been enjoyed in general by Travellers. There are a number of interlinking reasons for this including discrimination within the labour market, lack of access to good formal education and training, lack of recognition of the skills Travellers possess and a subsequent lack of confidence among the Traveller community about their employment and promotion prospects. This report makes recommendations and was commissioned as part of Pavee Point's Traveller Economic and Social Inclusion Programme (TESIP). €6.00

