



PAVEE POINT
TRAVELLER AND ROMA CENTRE

Submission on the Control of Horses Act 1996

September 2014

1. Background

In the mid 1990s, urban horses became a popular topic of debate in Ireland with 'wandering horses' documented across the country. The Control of Horses Act 1996 was passed to deal with the issue of wandering horses and to improve animal welfare and public safety.

Horses have always played a significant role in Traveller culture and are often depicted as part of Traveller lifestyle in works of art, poetry and songs. Further to this, horses were a core part of the Traveller economy, with Travellers trading at horse fairs and relying on the horse trade for income. Horses were also a social outlet for Travellers, maintained for sulky racing and as a hobby.

Before the passage of the Act, an advisory group was established to consider the requirements for such a Bill. No representative of the Traveller community was involved in the group.

This submission has been prepared pending an indicated review of the Control of Horses Act by the Department of Agriculture, Fisheries and Food.

2. Horses as part of Traveller Culture

Travellers are defined in the Equal Status Acts as the "[C]ommunity of people commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions, including, historically, a nomadic way of life on the island of Ireland."¹ In 2014, the Joint Oireachtas Committee on Justice, Defence and Equality recommended that Travellers be recognised as an ethnic minority in Ireland.²

The Traveller community has a long and rich history of keeping horses, but in many ways this is different to the horse ownership history displayed by the settled community.

a) Nomadism

In the past, horses were specifically kept by the Traveller community for the purposes of facilitating the nomadic way of life in the community. Obviously over time modern vehicles took the place of horses for this purpose, but horses remain strongly associated with the Traveller community because of their nomadic history.

b) Traveller Economy

Trading horses at horse fairs and markets has long been a core part of the Traveller economy, with many Travellers investing skill and time in caring for horses, seeing them as an investment. The Traveller economy has been dismantled over time but Travellers maintain a strong affinity with horses. The ability to breed and trade horses contributes significantly to the wider Irish economy and at one time enabled some Travellers to attain financial independence.

c) Traveller Culture and Social Outlets

Horses are often linked to Travellers in many cultural depictions developed both in Ireland and internationally and horses have long been considered part of the Traveller identity. On a social level, Travellers keep horses for entertainment purposes including sulky racing and fairs, where Travellers with similar interests gather to share experiences, not just with one another but also with members of the majority settled community. These shared experiences contribute positively to challenging stereotypes and sharing skills.

¹ Equal Status Act 2000 s.2(1)

² Houses of the Oireachtas, Joint Committee on Justice, Defence and Equality, *Report on the Recognition of Traveller Ethnicity* (2014)

3. The Impact of the 1996 Act

Without question, the Control of Horses Act and the by-laws which emerged from it in local authorities had a detrimental effect on Traveller economy, culture and social pursuits. While the focus on animal welfare and public safety was broadly welcomed, Travellers' poor accommodation status and lack of land ownership impacted on their capacity to meet the requirements of the 1996 Act. The 1996 Act definitely had a disproportionate impact on Travellers and working class communities.

a) Traveller literacy

It has been concretely established that literacy problems remain a significant struggle for members of the Traveller community in Ireland. According to the *All Ireland Traveller Health Study*, over 28% of Travellers express difficulty reading.³ When the 1996 Act was introduced and passed, it was a requirement that local authorities advertise the drafting of bylaws and seek submissions from interest groups. However, where advertising did occur it did not adequately reach target groups and it did not account for literacy barriers, minimising the input from Travellers in particular. This meant that the bylaws which were passed did not take into account the cultural significance of horses and the particular difficulties Travellers would face under the new Act.

b) Lack of Uniformity in Bylaws

The 1996 Act facilitated local authorities to implement bylaws in their given areas, meaning that rules could be different in different parts of the country. This impacted on Travellers who lived a nomadic lifestyle and the lack of engagement with Traveller groups to explain the new laws and bylaws presented further complications.

c) Traveller Accommodation and Renting

According to a survey circulated by the Irish Traveller Movement following the implementation of the Act⁴, horses remain a strong part of Traveller identity, whether in Traveller accommodation or in standard housing. Further, the survey suggested that Travellers used council land to graze horses, which left these horses open to impound and seizure, particularly when Travellers were unaware of the regulations in the Act. Travellers who answered the survey indicated that land-owners would refuse to rent to them and that land they could rent was far from where they resided.

4. Recommendations

At the Animal Welfare Conference held in Dublin Castle on May 16th 2014, Minister for Agriculture, Food and the Marine Simon Coveney TD announced a review of the Control of Horses Act 1996. The Minister noted that some local councils had excelled in implementing the Act but that others had not. The Minister requested interested groups to participate in a consultative process before the Act is reviewed.

Pavee Point is concerned that this Review is not independent of the Department and firmly believes that such a review should be independent.

³ *All Ireland Traveller Health Study*, (2010), Selected Key Findings and Recommendations at 10

⁴ Irish Traveller Movement, *Report on the Socio-Economic Consequences of the Control of Horses Act 1996 on the Traveller Community* at 12

1. Engagement with Traveller groups

It is evident that the 1996 Act had a tangible impact on members of the Traveller community, who had up to that point relied on horses for social networking, financial independence and cultural heritage. While we maintain support for animal welfare, licencing and microchip regulations, the current procedures must be reviewed in consultation with Traveller groups to increase awareness.

New procedures and rules must also be formulated in consultation with the Traveller community, ensuring broad understanding of regulations and building capacity within the community to make sure Travellers are able to meet the requirements on all levels.

2. National Implementation

It is clear that local implementation of the 1996 Act was not sufficiently successful. In review, the 1996 Act should be updated on a national level, implementing uniform rules and regulations across the board, particularly in relation to costs for impound and recovery.

These rules could be administered by local councils in consultation with interest groups in an advisory capacity. This system would increase cultural awareness and solve arising issues with sensitivity while also enabling a wider spread of information about incoming rules and regulations.

3. Traveller Accommodation

There remains an abundance of council land surrounding many halting sites and Traveller housing schemes in Ireland. Is it clear that provision for grazing land should be built into future Traveller accommodation plans, enabling Travellers to care for their horses in a safe space and in line with their cultural heritage of tethering horses near their homes. This would limit the use of council land for grazing and would further limit the losses incurred by Travellers whose horses are grazed a far distance from their own residences.

4. Local Traveller Partnerships

Much benefit could be had from a partnership approach between local authorities and traveller organisations in developing innovative approaches to support responsible horse ownership within the Traveller community. We recommend that funding be made available to Traveller projects to develop equine projects and husbandry skills courses.

5. Equality Proofing

All future policy developments on the Control of Horses Act and its implementation must be Traveller/equality proofed to ensure that the impact of such legislation does not continue to have a disproportionate impact on the Traveller community.