



PAVEE POINT
TRAVELLER AND ROMA CENTRE

Pre-Budget Submission 2017

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Pavee Point Traveller and Roma Centre is a non-governmental organisation committed to the attainment of human rights for Travellers and Roma. The organisation comprises Travellers, Roma and members of the majority population working in partnership to address the needs of Travellers and Roma, who as minority ethnic groups experience exclusion and marginalisation.

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Summary of Recommendations

Public Sector Duty - Equality Proofing Budget Decisions

- Analyse the potential impact of budgetary decisions on marginalised and disadvantaged groups in a systematic and transparent way to ensure their human rights are prioritised and safeguarded
- Invest in systems to collect and analyse disaggregated data by ethnicity and gender across all administrative systems
- Ensure that all data collection, storage and analysis adhere to human rights standards and principles

Investing in Public Services

- Prioritise investment in public services over tax cuts
- Reinstate investment to Traveller specific programming to pre-recession levels to support Traveller inclusion
- Introduce investment to Roma specific programming to support Roma inclusion
- Define a specific budgetary line for Traveller and Roma children to address Traveller and Roma child poverty rates
- Devise a budgetary mechanism to re-allocate underspent amounts from relevant social inclusion and local development budgets to actions to promote Traveller and Roma engagement and inclusion
- Allocate funding to community work measures to resource Traveller and Roma participation in complex mechanisms at local level (PPNs, LCDCs)

Investing in Social Welfare Rates

- Increase adult social welfare rates in line with rising cost of living
- Increase Child Benefit, particularly for children over the age of 12 years, to account for high costs faced by families

Right to Reside and Habitual Residence Condition (HRC)

- Remove child benefit from habitual residence condition requirements
- Undertake programmes for the issuance of medical cards in Traveller and Roma communities to ensure that Traveller and Roma children enjoy the same access to health-care services as others
- Ensure that people awaiting decisions on habitual residence are provided with adequate income supports
- Provide a humanitarian response to ensure that Roma are not living without basic food and shelter in Ireland
- Undertake impact assessment of the HRC based on gender and ethnicity to eliminate its discriminatory impact on disadvantaged individuals and groups
- Ensure consistent and transparent application of the HRC criteria by providing clear guidelines and training to relevant officials, including anti-racism and discrimination training
- Amend the guidelines to take into account Traveller nomadism
- Introduce an exemption in the HRC for women affected by domestic and sexual violence
- Provide human resources to support people in making their applications, in particular the availability of suitable translators

- Collect and make public disaggregated data in relation to applications, refusals, appeals and appeal outcomes with regard to the habitual residence condition

Supporting Employment

- Resource Special Initiatives for Traveller and Roma training and employment
- Extend the free GP care for under-sixes to older children

Accommodation and Housing

- Prioritise Traveller accommodation budget and immediately reinstate the Traveller accommodation funding to 2008 levels, at a minimum of €40 million
- Introduce a monitoring and evaluation framework with associated sanctions, ensuring full expenditure of funds allocated to Local Authorities for Traveller-specific accommodation
- Raise the HAP and rent supplement levels to ensure that people in receipt of these payments are able to compete in the private rented sector
- Increase the supply of social housing to ensure Travellers and Roma are able to access affordable and high quality accommodation

Education

- Introduce additional General Allocation Model allocation for pupils that fulfil two of the Special Educational Needs criteria
- Introduce investment in Traveller specific education supports to break the cycle of educational disadvantage

Introduction

“One can think of no other section of the community which has suffered such a high level of withdrawal of funding and human resources, compounded by the failure of the state to spend even the limited resources that it has made available.”¹

With the recent economic recovery, Budget 2017 presents an opportunity for the new government to ensure that the return to prosperity will be felt by those most marginalised and excluded in Irish society. Irish Travellers and Roma are among the most marginalised groups in Ireland and, along with other such groups, have been disproportionately impacted by austerity measures.

With the commitment in the new Programme for a Partnership Government to the creation of a ‘Just and Fair Society and a More Inclusive Prosperity’, the emphasis on public spending, early intervention and prevention is a welcome step. The promise of the Integrated Framework to eliminate persisting discrimination on grounds of gender, race and ethnicity must materialise in the Budget 2017 in order to tackle and reverse the inequalities in access, participation and outcomes for Travellers and Roma.

Inequalities in life opportunities and outcomes should no longer be tolerated. Priorities in Budget 2017 needs to reflect this and decisions must be based on human rights considerations and principles. The priorities should also take into account the issues and needs arising among Traveller and Roma women and children, who have felt an additional brunt of the austerity measures.

1. Public Sector Duty - Equality Proofing Budget Decisions

Pavee Point welcomes the commitment of the Programme for Partnership Government to develop a process of budget and policy proofing as a means to strengthen social and economic rights, advance equality and reduce poverty. Section 42 of the Irish Human Rights and Equality Commission Act 2014 mandates all public bodies to take due note of equality and human rights in carrying out their functions.² In performing their duties, public bodies are required to take proactive steps to assess and actively promote equality, protect human rights and combat discrimination. This duty must also be carried out in budgetary decisions in a transparent and comprehensive way.

Thus far, budgetary measures and decisions have been implemented without conducting adequate human rights impact assessments. Concerns at the lack of disaggregated data to monitor and formulate policy and programming have most recently been raised by UN Committee on the Rights

¹ Harvey, B., *Travelling with Austerity: Impacts of cuts on Travellers, Traveller Projects and Services*, Dublin, Pavee Point Publications, 2013.

² Irish Human Rights and Equality Commission Act 2014, S42.

of the Child (CRC)³ and Committee on Economic, Social and Cultural Rights (CESCR).⁴ Without disaggregating data by ethnicity, gender and other equality grounds, it remains impossible to monitor the impact of budgetary decisions on members of Traveller, Roma and other minority ethnic communities. This also prevents basing budgetary decisions on sound data.

Recommendations:

- Analyse the potential impact of budgetary decisions on marginalised and disadvantaged groups in a systematic and transparent way to ensure their human rights are prioritised and safeguarded
- Invest in systems to collect and analyse disaggregated data by ethnicity and gender across all administrative systems
- Ensure that all data collection, storage and analysis adhere to human rights standards and principles

2. Investing in Public Services

Travellers and Roma are one of the most at risk groups of poverty. Data shows Traveller unemployment rate to be a staggering 84.3%, while 55% of Traveller children complete their formal education by the age of 15.⁵

Tax cuts and social transfers are not enough to enable Traveller and Roma families to pay for services. On the other hand, focus on jobs alone will not break the cycle of poverty that many Travellers and Roma experience.

Investment in public services is a vital component in reducing poverty in communities that have historically been marginalised and excluded in public services, including in education, employment, training, health and childcare, family supports, and accommodation. Equal access to affordable and quality public services creates opportunities for Travellers and Roma to access and maintain employment, thus lifting families and children out of poverty.

The recent economic crisis saw a dramatic disinvestment in Traveller specific services. Using Government's own figures it is possible to identify the scale of the austerity cuts impacting the Traveller community.⁶ The figures should be compared to the overall reduction in government current spending of -4.3% over 2008-2013:

³ UN 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 4, 1 March 2016.

⁴ UN Committee on Economic, Social and Cultural Rights, *Concluding Observations on the Third Periodic Report of Ireland*, CESCR/E/C.12/IRL/CO/3, 8 July 2015.

⁵ Central Statistics Office, *Census 2011 Profile 7- Religion, Ethnicity and Irish Travellers* at 32. There is very little data and research on Roma communities in Ireland. The Department of Justice and Equality has commissioned the undertaking of Ireland's first Roma Needs Assessment, which will be published in due course.

⁶ Harvey, B., 2013 (1).

2008 - 2013: Programmes for Travellers	
Interagency activities	-100%
Education	-86.6%
Accommodation	-90%
Equality	-76.3%
National Traveller Organisations	-63.6%
FAS SIT (employment initiative)	-50%
National Traveller Partnership	-32.1%
SPY youth projects	-29.8%
Health	-5.4%
Overall government cut	-4.3%

Even more shockingly, there has been an underspending of the allocated budgets by statutory agencies.⁷ These developments have severely compromised the capacity of community development programming and public services to facilitate the inclusion of Travellers and Roma in education, training and the labour market.

In fact, national programmes for social inclusion and initiatives in education, training and employment have a weak track record in facilitating Traveller and Roma participation. According to mid-term review of Local and Community Development Programme 2011-2012, Travellers constitute a mere 1% of total beneficiaries.⁸ Data from Social Inclusion and Community Activation Programme shows that less than 1.75% of actions have Travellers and Roma as a primary target group, delivered by 5 out of 50 Programme Implementers.⁹

The disinvestment in Traveller specific services must also be viewed in context of cuts to social welfare payments made during the economic crisis, including Child Benefit, Unemployment Benefit and Social Assistance payments. The combined impact of the measures have had a devastating, immediate and long-term impact on Traveller and Roma communities.

The impact of cutbacks has been shocking for children in particular. According to figures by the Department of Social Protection, one in nine children live in consistent poverty.¹⁰ Due to lack of disaggregated data, child poverty rates fail to reflect the rate of child poverty within Traveller and Roma communities.

⁷ The following figures represent the underspend of the allocated resources; Health 18%; Equality 28%; Accommodation 36%; FAS Special Initiative for Travellers 40%, in Harvey, B., 2013 (1).

⁸ Centre for Effective Services, *Mid-term Review of the Local and Community Development Programme 2011-2012*, Centre for Effective Services, 2013.

⁹ Preliminary 2015 data supplied by Social Inclusion and Community Activation Programme in May 2016 on the theme of effective engagement with the core Social Inclusion Community Activation Programme (SICAP) target groups. Under the Local Government Reform Act 2014 Local Authorities have the lead role in economic, social and community development locally, but experience challenges in delivering Traveller accommodation, ensuring interagency work and effective service delivery.

¹⁰ Department of Social Protection, *Social Inclusion Monitor 2014*, Dublin, April 2016.

The UNCRC, CESCRC and European Commission have raised serious concerns about the significant increase in the number of children living in consistent poverty, particularly in jobless households and Traveller, Roma and other minority ethnic communities.¹¹ They have also raised alarms at reductions and lack of prioritising of children in such households in budgetary measures.

The UNCRC has specifically recommended for the State to undertake positive action measures and define specific budgetary lines for Traveller and Roma children in order to strengthen its efforts to reduce poverty experienced by Traveller and Roma children.¹² While universal approaches benefit all children and reduce stigma associated with public services and supports, prevention and early intervention strategies to reduce child poverty within Traveller and Roma communities should include targeted measures. Targeted services are a crucial component in addressing the disadvantages faced by Traveller and Roma children.

Recommendations:

- Prioritise investment in public services over tax cuts
- Reinstate investment to Traveller specific programming to pre-recession levels to support Traveller inclusion
- Introduce investment to Roma specific programming to support Roma inclusion
- Define a specific budgetary line for Traveller and Roma children to address Traveller and Roma child poverty rates
- Devise a budgetary mechanism to re-allocate underspent amounts from relevant social inclusion and local development budgets to actions to promote Traveller and Roma engagement and inclusion
- Allocate funding to community work measures to resource Traveller and Roma participation in complex mechanisms at local level (PPNs, LCDCs)

3. Investing in Social Welfare Rates

The cuts to social welfare payments during the recession had a significant impact on Travellers and Roma who are reliant on social welfare. Those Traveller and Roma families and children are living below a minimum acceptable standard of living and facing food poverty, fuel poverty, and poor housing, accommodation and health conditions. Many cannot afford fuel, and some report having to go to bed early just to keep warm. Parents report difficulties with feeding their children and there are even reports of stealing for food.¹³ The rising cost of living in post-austerity period needs to be reflected in an increase in social welfare supports to strengthen the purchasing power of those most disadvantaged.

Recommendations:

- Increase adult social welfare rates in line with rising cost of living

¹¹ UNCRC, 2016 (3); UNCESCR, 2015 (4); Daly, M., *Investing in Children: Breaking the Cycle of Disadvantage - A Study of National Policies, Country Report – Ireland*, European Commission, 2014.

¹² UNCRC, 2016 (3).

¹³ Harvey, B., 2013 (1).

- Increase Child Benefit, particularly for children over the age of 12 years, to account for high costs faced by families

4. Right to Reside and Habitual Residence Condition (HRC)

The Right to Reside and HRC act as major obstacles for many Roma and Travellers to access social protection even when they have resided in Ireland for a significant period. As a community that experiences extremely high levels of discrimination in education and employment across Europe, many Roma with a migrant background are set up to fail to access social protection in Ireland.

Roma often face a number of additional difficulties in satisfying the HRC criteria, including being subjected to discriminatory treatment, verbal abuse and racist comments by officials; significant delays with processing applications; demands for unnecessary documentation; and lack of documentation to prove residency.¹⁴ Roma with low levels of English and literacy skills face further difficulties, particularly with the lack of interpreters that would support applicants with the process. The knock-on effect of not meeting the HRC can also curtail one's ability to access medical card when as a person is unable to prove their means.

The barriers to securing social protection has placed many Roma and Travellers in extremely vulnerable positions. It has placed families in poverty, homelessness and destitution, and has contributed to poor health, child poverty and increased child protection concerns. Despite Child Benefit described as a 'universal payment' many Roma children are denied the right to protection due to their parents' status. The UNCRC has raised concerns at the low proportion of Traveller and Roma children with medical cards and has urged the State to undertake all necessary measures for the issuance of medical cards in Traveller and Roma communities to ensure equal access to healthcare services.¹⁵

The HRC also impacts access to safety and protection for Traveller and Roma women and children affected by domestic and sexual violence. Traveller and Roma victims of violence who do meet the HRC are unable to access refuge accommodation beyond an emergency period and are excluded from other vital services and supports.

Concerns about the discriminatory effect of the HRC on Travellers, Roma and victims of domestic violence have been raised by the Special Rapporteur on extreme poverty and human rights,¹⁶ European Commission against Racism and Intolerance,¹⁷ UNCRC,¹⁸ HRC;¹⁹ and CESCR.²⁰ In 2014, the

¹⁴ Nasc, *In from the Margins- Roma in Ireland: Addressing the Structural Discrimination of the Roma Community in Ireland*, 2013; Pavee Point, *Violence against Roma Women: 9 Principles to Human Rights-based and Gender-responsive Approach to Protection*, 2015.

¹⁵ UNCRC, 2016 (3).

¹⁶ UNGA, *Report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona*, A/HRC/20/25, 2012, Para 102.

¹⁷ European Commission against Racism and Intolerance, *ECRI Report on Ireland Fourth Monitoring Cycle*, CRI (2013)1, 2013, Para 130.

¹⁸ UNCRC, 2016 (3).

¹⁹ The Human Rights Committee expresses concern at the existence of administrative and financial obstacles for marginalized women to access essential support services, particularly women whose immigration status is dependent on her spouse or partner or who do not meet the Habitual Residence Condition, in Human Rights Committee, *Concluding observations on the fourth periodic report of Ireland*, 2014.

²⁰ UNCESCR, 2015 (4).

Joint Oireachtas Committee on Justice, Defence and Equality recommended a formal exemption to the HRC to account for victims of domestic violence.²¹

Recommendations:

- Remove child benefit from habitual residence condition requirements
- Undertake programmes for the issuance of medical cards in Traveller and Roma communities to ensure that Traveller and Roma children enjoy the same access to health-care services as others
- Ensure that people awaiting decisions on habitual residence are provided with adequate income supports
- Provide a humanitarian response to ensure that Roma are not living without basic food and shelter in Ireland
- Undertake impact assessment of the HRC based on gender and ethnicity to eliminate its discriminatory impact on disadvantaged individuals and groups
- Ensure consistent and transparent application of the HRC criteria by providing clear guidelines and training to relevant officials, including anti-racism and discrimination training
- Amend the guidelines to take into account Traveller nomadism
- Introduce an exemption in the HRC for women affected by domestic and sexual violence
- Provide human resources to support people in making their applications, in particular the availability of suitable translators
- Collect and make public disaggregated data in relation to applications, refusals, appeals and appeal outcomes with regard to the habitual residence condition

5. Supporting Employment

“We are always fighting for children to go right through the education system - but what is the point if there is nothing at the other end?”²²

Travellers and Roma face significant barriers to accessing employment in Ireland. While there are no official figures for Roma, Census 2011 reveals Traveller unemployment to be as high as 84.3%. The UNCESCR has raised concerns at the disproportionately high rates of unemployment among Travellers and Roma, and regrets the lack of disaggregated data that would enable a regular assessment of the unemployment situation of members of these communities.²³

Research unveils significant disillusionment among Travellers in terms of employment prospects as well as fear of losing other supports, such as the medical card:²⁴

²¹ Joint Oireachtas Committee on Justice, Defence and Equality, *Report of the Committee on Domestic and Sexual Violence*, 2014.

²² Harvey, B., 2013 (1).

²³ UNCESCR, 2015 (4).

²⁴ Harvey, B., 2013 (1).

“Projects report that discrimination against Travellers in employment is as great as ever. Most training, they said, seemed geared to the newly unemployed, not most Travellers who have been out of work for some time, the Long Term Unemployed.”

“If you get work, you are terrified of losing the medical card and then you can’t get medical care for the children.”

The introduction of free GP care for under-sixes has been a welcome step. However, this should be extended to older children in order alleviate fears among parents with regards to ability to look after the health needs of their families.

The national training authority, FAS, initiated Special Initiative for the employment of Travellers in 2005, FAS SIT. Eight of the projects were reportedly still running in 2012 but there is no information about Traveller participation after this point. The 2008 small grant fund by the Department of Social Protection, Activation and family support line, was established to support unemployed Travellers back into employment. However, there are no figures available of spending or allocations since 2008 nor any evidence about its outcomes. An internship scheme in government departments, which was popular and over-subscribed, has also been discontinued.²⁵ The only local training initiative for Roma, which supported Roma to access further training and employment, has also lost its funding.²⁶

Recommendations:

- Resource Special Initiatives for Traveller and Roma training and employment
- Extend the free GP care for under-sixes to older children

6. Accommodation and Housing

“Providing affordable, quality and accessible housing for our people is a priority for the New Partnership Government. We will work together - and with those who have other good ideas - to address the consequences of the devastating construction bubble and the property crash.”²⁷

Traveller accommodation situation has been in a persistent state of crisis for decades. Yet, it is continuously excluded from debates and responses in relation to the current housing crisis. There is no official data on the housing situation of Roma. However, research and anecdotal reports indicate significant issues with overcrowding, inadequate and unsafe housing conditions and homelessness.

Between 2008–2013 Traveller accommodation budget was cut from €40m to €4m, a staggering - 90%. Even more shockingly, there was an underspending of 36% of the allocated Traveller accommodation budgets by Local Authorities.²⁸ As a result, many Travellers live in substandard, overcrowded and unsafe conditions, and are unable to move or demand better accommodation

²⁵ Harvey, B., 2013 (1).

²⁶ Harvey, B., 2013 (1).

²⁷ *A Programme for a Partnership Government*, May 2016.

²⁸ Harvey, B., 2013 (1).

conditions. The report by the Oireachtas Committee on Housing and Homelessness in June 2016 found a disproportionate number of Travellers to be living in substandard accommodation. The Committee made a specific recommendation to immediately address the situation by restoring the Traveller accommodation budget to 2008 levels.²⁹

The Government statistics obscure the reality of homelessness and accommodation conditions within the Traveller community. The term 'sharing' of houses and halting bay sites is an euphemism for Travellers living in chronic overcrowding, while the term 'basic' service bays refers to sites that are often flooded, rat infested and lack sufficient facilities. The term 'unauthorised site' refers to Travellers who are forced to live at the roadside due to lack of access to private rented accommodation, social housing and/or Traveller specific accommodation. These Travellers are in effect homeless but they are excluded from Government statistics and responses on homelessness.

Many Travellers are unable to meet rising rents and, as a result, are often moving to inappropriate or sub-standard accommodation. Between 2013 and 2015, 237 Traveller families left private rented accommodation. This figure correlates with an increase of 200 Traveller families sharing houses and an increase of 173 families on 'unauthorized sites'.³⁰ It is clear that Traveller families are responding to the accommodation crisis by relocating to sites that are already overcrowded, unsafe and inhabitable.

Recommendations:

- Prioritise Traveller accommodation budget and immediately reinstate the Traveller accommodation funding to 2008 levels, at a minimum of €40 million
- Introduce a monitoring and evaluation framework with associated sanctions, ensuring full expenditure of funds allocated to Local Authorities for Traveller-specific accommodation
- Raise the HAP and rent supplement levels to ensure that people in receipt of these payments are able to compete in the private rented sector
- Increase the supply of social housing to ensure Travellers and Roma are able to access affordable and high quality accommodation

7. Education

Only 13% of Traveller children complete secondary education in comparison with 92% of the general population.³¹ It has long been accepted that segregated provision for Travellers in education is inappropriate. However, given the stark inequalities between Traveller children and the general population it is clear that Travellers require specific targeted interventions to participate in mainstream education on equal terms with the rest of the settled community.

The Report on the First Phase of the Evaluation of DEIS (2011) found that the educational attainment of Travellers remains significantly lower than that of their settled peers in both reading and

²⁹ Houses of the Oireachtas, *Report of the Committee on Housing and Homelessness*, June 2016.

³⁰ Department of Environment, Community and Local Government, *Traveller Accommodation Statistics: 2015 Count – All Categories of Traveller Accommodation*, 2015.

³¹ Economic and Social Research Institute (ESRI), *Growing Up in Ireland Study 2012*, Department of Children and Youth Affairs.

mathematics.³² The magnitude of the difference between the scores of the two groups is large in every case.

Given that students in DEIS schools have access to a range of extra supports, it is of particular concern that even in this context Traveller students are not reaching the same level of educational attainment as their settled peers. 47% of Traveller students at primary level are in non-DEIS schools and 51% of Travellers at post primary level are in non-DEIS schools.³³ In these schools Traveller children do not have access to the same education supports as are available in DEIS schools.

Recommendation:

- Introduce additional General Allocation Model allocation for pupils that fulfil two of the Special Educational Needs criteria
- Introduce investment in Traveller specific education supports to break the cycle of educational disadvantage

³² Delivering Equality of Opportunity in Schools (DEIS) the Action plan for Educational Inclusion was launched in May 2005 and is the Department of Education and Skills policy instrument to address educational disadvantage. 849 schools are included in the programme, 657 primary schools and 192 secondary schools. DEIS schools receive a number of supports and provisions including a pupil teacher ratio (PTR) of 20:1 in junior schools, 22:1 in vertical schools and 24:1 in senior schools. DEIS schools can also access a number of supports including :

- DEIS grant paid based on level of disadvantage and enrolment
- Access to [Home School Community Liaison services](#)
- Access to [Schools Meals Programme](#)
- Access to range of supports under [School Completion Programme](#)
- Access to literacy/numeracy support such as Reading Recovery, Maths Recovery, First Steps, Ready Set Go Maths
- Access to planning supports
- Access to a range of professional development supports
- Additional funding under [School Books Grant Scheme](#)

³³ Information received by the Traveller Education Strategy Advisory Consultative Forum from the Social Inclusion Unit in the Department of Education and Skills, October 2012.