



Briefing in Relation to Policing Issues

9 October 2023

Pavee Point Traveller & Roma Centre

Pavee Point welcomes the opportunity to meet Garda Commissioner Drew Harris to discuss our work in terms of the meaningful involvement of Travellers and Roma in the future of policing.

Pavee Point 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.

From our engagement with Traveller and Roma organisations and communities across the country, we recognise and acknowledge the many positive responses and interactions by members of An Garda Síochána (AGS) with Travellers and Roma. However, we also know that relations between AGS and Traveller and Roma communities are often characterised by mistrust and conflict. Racial stereotypes and prejudices against Travellers and Roma can often lead to under-policing (not providing sufficient support and protection) and over-policing in certain situations or using excessive force against Travellers and Roma. This results in low levels of trust, low victim satisfaction, and reluctance to report crime by Travellers and Roma.

Pavee Point has a long-standing relationship with AGS, working on these important issues. In this briefing, we outline five key priorities relevant to your work, in relation to composition and recruitment of personnel, participation of minority groups at policy level, comprehensive data collection, promotion of anti-racism and human rights, and community police responses.

1. Composition and Recruitment of Personnel

Travellers and Roma are one of the most marginalised and socially excluded groups in Ireland as a result of widespread anti-Traveller and anti-Roma prejudice, racism and discrimination at both individual and institutional levels. Relations between AGS and Traveller and Roma communities has historically been poor and this can make the move towards increased partnership and dialogue with Traveller and Roma communities and the protection of Traveller and Roma victims particularly challenging.

While Pavee Point welcomed [An Garda Síochána's Equality, Diversity & Inclusion \(EDI\) Strategy Statement & Action Plan 2020 – 2021](#), and the recent EDI recruitment campaign, there remains a gap in recruitment of Travellers and Roma within AGS. Increased inclusion of Travellers and Roma within the Garda force across all services through a dedicated quota would promote improved relations and mutual trust between members of AGS and Traveller and Roma communities.

Recommendation:

Source 'Recruitment of Minority Groups' (inclusive of Travellers and Roma) as a priority in Policing Plans, using dedicated targets and quotas across all services, in order to build trust and relations by groups and An Garda Síochána

2. Meaningful Participation of Minority Groups at Policy Level

Traveller and Roma organisations bring experience, knowledge, and commitment to building positive relations between AGS and Traveller and Roma communities. As leaders in the field of community



development and human rights, it is essential that Traveller and Roma organisations are represented in relevant policing structures to inform policy and practice within AGS. This would mean including representatives of Traveller and Roma organisations on diversity strategy boards, local policing forums, and other relevant structures. The Garda Traveller Advisory Group (GTAG) was established in 2019 to facilitate enhanced engagement and consultation on policing matters with the Traveller Community. This group has potential to bring about changes in policing culture and practice in Ireland. However, to be effective, it must have a coherent workplan with targets and timelines, as well as allocated, appropriate resourcing.

Recommendation:

Include '*Meaningful Participation of Minority Groups at Policy Level*' as a priority in future Policing strategies in order to ensure that policy and practice within An Garda Síochána is informed by good practice

3. Establishment of a Comprehensive Data Collection System

We have welcomed the Prison and Probation services introduction of an ethnic identifier in their data collection systems, but regret that despite Section 42 of the Irish Human Rights and Equality Act (2014) An Garda Síochána continue to cite a perceived lack of legal basis for recording ethnicity or fear that such practice may constitute ethnic profiling¹.

Progress on ethnic equality monitoring is needed across the criminal justice system. Training is needed for all data collectors on how to collect, disaggregate, analyse, and use ethnic data; awareness raising actions need to be taken with minority ethnic communities to encourage individuals to self-identify; and all agencies in the criminal justice sector must introduce ethnic identifiers in their data collection systems.

The Policing Authority² has highlighted the need for ethnic data for internal and external oversight and to provide assurances of the fair and proportionate application of police powers. The State has committed to develop a National Equality Data Strategy and to have this in place from 2024, it is vital that An Garda Síochána are included within this Strategy³

Recommendation:

- Introduce an ethnic identifier in services and data sets across the criminal justice system
- Provide adequate resources to ensure the implementation of an ethnic identifier takes place in line with human rights standards, including resources to support the development of data sets, provision of training and awareness raising for data collectors, and awareness raising with service users, victims of crime and offenders

4. Promotion of Anti-Racism, Anti-Discrimination and Human Rights

[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. In performing their duties, public bodies are required to take proactive steps to assess and actively promote equality, protect

¹ As reported by the Courts Service and An Garda Síochána through monitoring committee meetings of the National Strategy on Domestic, Sexual and Gender-based Violence. All State agencies initially committed to developing a 'gold standard of data collection, including by ethnicity, through this Strategy

² Policing Authority, [Policing Performance by Garda Síochána in relation to COVID-19 Regulations](#), May 2020.

³ Department of Children, Equality, Disability, Integration and Youth, [Minister O'Gorman announces the development of a National Equality Data Strategy](#), 21 March 2022.



human rights, and combat discrimination. This duty must also be reflected in Policing Priorities and Policing Plans.

Standard anti-racism and cultural diversity training doesn't capture the experiences of anti-Traveller and Roma racism faced by Travellers and Roma in Ireland. Furthermore, there is a gap in the provision of initial and ongoing professional training on the human rights situation of Travellers and Roma within An Garda Síochána.

Recommendation:

- Ensure that Section 42 of the Irish Human Rights and Equality Commission Act 2014 is explicitly included as a rationale/source of information to influence the ethos and culture of future Policing Strategies and structures in order for An Garda Síochána to comply with this legal duty
- Include *'Promotion of Anti-racism, Anti-discrimination and Human Rights'* (inclusive of Traveller and Roma human rights and anti-Traveller and Roma racism/discrimination) across all aspects of policing and policing structures
- Resource and mandate future Garda training and professional development to be inclusive of substantive and mainstreamed anti-racism, anti-discrimination, and human rights training in a consistent manner

Community Responses

Traveller and Roma organisations bring experience, knowledge, and commitment to building positive relations between AGS and Traveller and Roma communities. When responding to the needs of Traveller and Roma communities, it is vital that a partnership approach between Gardaí, Traveller and Roma organisations, and Traveller and Roma communities is adopted to ensure an appropriate and safe response. We saw how positive partnerships could be forged between AGS and Traveller and Roma communities during the COVID-19 pandemic and this approach could be built upon.

Currently, Traveller organisations are particularly concerned about the impacts of open drug dealing, both within the community and from the majority population, which is operating within Traveller-specific accommodation. Drug use, once a taboo subject in the Traveller community has now become a widespread problem described by a Traveller community drug worker at the Citizens Assembly as a "pandemic of substance misuse" affecting many Traveller families. This issue, in particular, needs a proactive community-based policing response in partnership with Traveller organisations and the Traveller community.

Recommendation:

An Garda Síochána to continue to advance the community engagement approach that was employed during the COVID-19 pandemic to ensure appropriate community policing approaches that respects the rights of Traveller and Roma communities and furthers community safety.



Appendix: Statistics

Table 1. Over-representation of Travellers in prisons, probation services and children’s detention:

- Although Travellers account for 0.6 % of the Irish population, Travellers account for 22% of the female prison population and 15% of the male prison population’.⁴
- A fifth of young people in custody in Oberstown Children Detention Campus are Travellers,⁵
- Risk for a Traveller woman being imprisoned is 18 to 22 times higher than that of the general population, with Travellers accounting for 22% of the female prison population⁶

Table 2. Evidence of anti-Traveller and Roma prejudice, racism and discrimination:

- 53.9% of Roma respondents said they felt discriminated by An Garda Síochána or in the courts⁷
- In 2019, social media video footage emerged where a member of An Garda Síochána and fire brigade services engaged in impersonating and mocking the Traveller community⁸
- In 2021, An Garda Síochána settled a discrimination complaint made by US Romani Scholar Ethel Brooks. Ms Brooks on entering the country was subjected to racist remarks about Travellers and Roma by immigration police⁹

Table 3. Evidence of ethnic profiling:

- 14% of Travellers believe that the most recent stop was because they are a Traveller. This is the third highest rate compared to the other EU countries. Trust in the police in Ireland is the second lowest compared to other countries, and trust in the legal system is the second lowest of all countries¹⁰.
- 59% of Travellers were stopped by Gardaí in the last 5 years because they are a Traveller¹¹
- 50% of Travellers report being present in a home that was entered uninvited by the Gardaí in the last 5 years, and only 11% had a search warrant¹².
- 77.5% of Roma report being stopped by An Garda Síochána for an ID, and of those, 56% report being stopped four times or more¹³
- Traveller children aged 4 and 5 were recorded and given criminal tag numbers in the PULSE system in 2011 after their parents visited a Garda station to apply for passports. The mother was not aware of this until informed by a journalist in 2014. A Garda whistle-blower alleged that up to 40 Traveller families were entered on the PULSE system, including a 16 days old baby, and that were entered without any proper foundation, criminal or otherwise¹⁴.

⁴ Irish Prison Service, cited in Lalor, T., *Travellers in Prison Initiative: Ethnic Identifiers in Irish Prisons*, 2017.

⁵ Irish Penal Reform Trust, *Oberstown Children Detention Campus: Key characteristics of young people in detention for Q1 2018*, June 2018.

⁶ Irish Prison Service cited in Travellers in Prison Initiative, http://ssgt.ie/travellers_in_prison.html.

⁷ Curran, S et al (eds) 2018, *Roma in Ireland - a National Needs Assessment*, Department of Justice and Equality and Pavee Point Traveller and Roma Centre

⁸ *Garda Commissioner Includes Traveller Community in 'Increased Diversity' Message*, Independent, 26 Sep 2019

⁹ *US Romani Professor Settles Discrimination Complaint Against an Garda Síochána*, Pavee Point 14 Oct 2021

¹⁰ FRA, *Country Sheet: Travellers in Ireland – Key Results from the Roma and Travellers Survey*, 2019.

¹¹ Joyce, S et al (2022) *Irish Travellers' Access to Justice*. European Centre for the Study of Hate

¹² Joyce, S et al (2022)

¹³ Curran et al (2018)

¹⁴ Barry, A., *'Garda Síochána "does not engage in ethnic profiling"'* The Journal.ie, 26 March 2014.