

# The Traveller Community and Homelessness



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**PAVEE POINT**  
TRAVELLER AND ROMA CENTRE



The Traveller Community and Homelessness  
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This report found that Travellers are strikingly over-represented in the general homeless population.



# EXECUTIVE SUMMARY AND KEY JUDGEMENTS

This is a report on Traveller homelessness in Ireland, set in its international and national context, using the standard European definition of homelessness, ETHOS. This report found that Travellers are strikingly over-represented in the general homeless population. Travellers experienced multiple forms of homelessness, such as doubling up on sites or roadside, sleeping rough or in cars, in emergency accommodation (including refuges), as well living in the most egregious site conditions. Many are in 'hidden homeless' situations, with 39% living with extended family in overcrowded accommodation. All homelessness has severe, negative consequences for physical and mental health and for the education of children.

Traveller homelessness is connected to deteriorating site conditions; evictions, including those by some local authorities; the decline of the local authority building programme from 1987; underspending on Traveller accommodation; and failure to plan for patterns of family formation and size. It is a legacy of prolonged disinvestment. A revolving door syndrome is very much in evidence, with Travellers leaving sites because of poor conditions, but eventually returning there after exhausting attempts to find alternate accommodation.

Accounts of homelessness from the national, county, local and micro levels are remarkably consistent, showing a similarity of experience. Stories of experiences of entering homelessness, presenting for services and attempted exit from homelessness tell of psycho-social distress. Specific problems identified by Travellers were the negative consequences of criminality tests, difficulties in accessing voluntary social housing, involuntary 'self-accommodation' in culturally inappropriate settings (private rented) and fresh barriers that make accessing accommodation ever more difficult (e.g. form HPL1, Choice Based Letting), some applied in a racist manner. The application of some is of doubtful legality, but there is little opportunity to challenge them.

The failure to apply a statistical ethnic identifier, especially in the Dublin area where homelessness is concentrated, means that Traveller homelessness is difficult to identify, even invisible. Addressing Traveller homelessness is doubly difficult in a system for policy-making and service delivery with separate, bifurcated administrative structures: one for Traveller accommodation, another one for homelessness. As a result, the two appear to be not only separate, but unrelated. Moreover, this institutional architecture is poorly known, little visible and untransparent. Parts have fallen into disuse or become sclerotic. Although NGOs can drive more enlightened policies and practices, some consultative bodies are state-centric and offer an even playing field neither for Traveller nor homeless organizations.

Their operation confuses consultation with management, coordination and control. Poor information flow has distinct, itemized consequences in a poor understanding of key issues (e.g. Traveller accommodation preferences).

Priorities for consideration are robust systems to measure Traveller homelessness, with the efficient application of ethnic identifiers by statutory and voluntary organizations according to international practice; cross-representation and transparency in the institutional architecture; building the capacity of Traveller organization to participate in it and to develop services; and the expansion of voluntary social housing that provides accommodation for Travellers. Two examples were cited from Northern Ireland which in their time successfully tackled two comparable problems of poor accommodation supply and discrimination: the Northern Ireland Housing Trust (NIHT) (1945) and the Housing Executive (NIHE) (1969). This jurisdiction is more than half a century behind in considering such approaches. This report made seven main recommendations:

- An objective, independent, annual national report on the extent, nature and causes of Traveller homelessness and ill-health and the measures taken in response, with an annual conference of all the stakeholders to consider, debate and progress findings, improve information flow and build a community of good practice.
- Application of systems of ethnic equality monitoring and the systematic collection of ethnic data across homeless systems and statistics, especially PASS, particularly to track use of services, housing applications and subsequent progress.
- A national agency for Traveller accommodation and the other purposes. This should be progressed by a Bill for such an independent agency modelled on the Northern Ireland legislation, presented by the NGO sector, accompanied by a programme of conference events to promote a wide-ranging, objective debate on its merits, for completion in the lifetime of the current Oireachtas (2025).

- Traveller homelessness a priority strand in the next round of Homeless Action Plans, due 2021-2022, with specific targets and actions aligned to Traveller Accommodation Plans (TAPs); a new strand in the *Housing First* programme; and a priority element of the sixth five-year plan for Traveller accommodation (2024-9).
- Reform the institutional architecture with the purpose of ensuring that Traveller homelessness can be considered across all its streams, with transparency, accountability, cross-representation, an even playing field and improved information flow.
- Resource Traveller organizations to appoint staff dedicated to work with Travellers who are homeless and to contribute to the policy-making, operational and delivery processes in a reformed architecture (e.g. funding under §10 of the Housing Act, 1988).
- Changes in accommodation policy and practice:
  - > To avoid site evictions precipitating homelessness, the full prior exhaustion of mediation and fair legal procedure, with evictions suspended during the Covid crisis;
  - > End the practice of pushing Travellers into private rented accommodation, which is regarded as insecure and culturally inappropriate, unless that is their informed choice;
  - > Sensible alternatives to bureaucratic barriers in the welfare system (e.g. form HPL1);
  - > Reform the law on spent convictions to eliminate the negative consequences of criminality tests in housing applications;
  - > Independent investigation of the transparency and fairness to Traveller applicants of the operation of Choice-Based-Letting (CBL) and the two-strikes-and-out policy, with their replacement by just, fair and accountable administrative procedures.



## CONTEXT

The context of this research, as set down by Pavee Point, is as follows. Although representing less than 1% of the population, there has been growing evidence that Travellers comprise a disproportionate and growing proportion of the homeless population, with significant numbers sharing accommodation involuntarily or otherwise in need. Over half those sleeping in garda stations are Travellers.

Traveller families often double up or even treble up sharing accommodation bays, yards and facilities. Sharing is in effect being homeless and it meets the criteria for homelessness as defined by the European descriptive typology (ETHOS), one also used by the Central Statistics Office in Ireland, as are people living in insecure accommodation. The housing, accommodation and homeless crisis for Travellers has been compounded by forced evictions following fire audits post-Carrickmines; being squeezed out of the private rental market due to an overall shortage of supply; lack of financial capital to compete with rising rent levels; and discrimination from landlords.<sup>1</sup> This has left Travellers in a difficult situation, unable to access accommodation in the public sector due to lack of provision and inaction by local authorities; and or in the private sector as a result of racism and discrimination. These situations had serious negative consequences for Traveller health which were exacerbated by the Covid 19 virus which reached Ireland in February 2020.

## PURPOSE OF RESEARCH

The purpose of this research is to establish and document the links between homelessness and the Traveller need for accommodation; obtain the views and experiences of Traveller community; and outline ways forward. This report sets the European and national context (chapter 1); examines the nature and extent of Traveller homelessness in Ireland (chapter 2); and assembles evidence from the Traveller community (chapter 3). Following analysis and discussion (chapter 4), ways forward are suggested (chapter 5).

## METHOD

The research was carried out by:

- Desk research including a literature and policy review and statistical information;
- Consultation events with Travellers and Traveller organisations, held on Zoom;
- Contact with key informants (statutory, voluntary, NGO, academic), through e-mail and telephone interview.

This research was carried out over June-July 2020; and revised in April 2021.

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# 1 EUROPEAN AND NATIONAL CONTEXT



From historically to the present, the accommodation issues concerning the Traveller community on the one hand; and of housing and homelessness on the other, have been seen as two distinct issues. Over time, each has developed its own fields of analysis, statistics, policies, instruments, institutional structures and organizations little connected to the other. These, though, are the external constructs and problematics of the non-Traveller, non-homeless world, which obscure a reality in which Travellers experience homelessness in ways comparable to the rest of the homeless population. This introductory chapter attempts to bridge and synthesize the two.

Homelessness was recognised as a European issue, deserving the attention of the European institutions, when the European Communities (later the European Union) developed a competence and interest in social policy in the 1970s. In 1987 the European Parliament adopted a ground-breaking resolution on homelessness, promoting concerted action on the problem, from the local to the national to the European level.



## 1.1 EUROPEAN CONTEXT

Homelessness was recognised as a European issue, deserving the attention of the European institutions, when the European Communities (later the European Union) developed a competence and interest in social policy in the 1970s. In 1987 the European Parliament adopted a ground-breaking resolution on homelessness, promoting concerted action on the problem, from the local to the national to the European level.<sup>2</sup> A specific outcome was the establishment of a European observatory on homelessness, one of whose tasks was to define, map, measure and categorize homelessness; outline its contours; examine its nature, extent and causes; and put forward proposals, measures and policies for its reduction and elimination. The observatory was managed by the European Federation of National Organizations Working with the Homeless, known by its French acronym, FEANTSA.<sup>3</sup> Defining homelessness across Europe was no easy task, since the term 'homeless' did not readily translate from English into other languages, complicated by different conceptualizations and terminologies for 'homelessness' across the member states. The primary tool devised by the observatory is the European Typology of Homelessness (ETHOS), which in its current iteration defines homelessness across seven categories of people:

- 1 Sleeping rough
- 2 In emergency accommodation, such as overnight shelters
- 3 In accommodation for the homeless (e.g. hostels, shelters, refuges, transitional)
- 4 In institutions with no housing to which to go subsequently
- 5 In non-conventional buildings, temporary structures or mobile homes, due to lack of housing
- 6 In conventional housing, with family or friends, due to lack of housing, not own residence.<sup>4</sup>

The ETHOS system has the advantage of outlining the full range of circumstances encompassing homelessness as traditionally understood and that of Traveller communities. The ETHOS system has been accepted as the standard tool of definition and measurement across Europe, including by the Irish government and was the instrument endorsed in its homeless policy *The way home*.<sup>5</sup> In its original research, the observatory gave figures of 3m people homeless across Europe (stock, or the number homeless at any one time), a figure which has since fluctuated, with considerable variations between member states, reflecting the degree to which governments have responded effectively to the problem, or not.

The European Union defines, for purposes of description, analysis and policy, Irish Travellers as part of its 6m population of Roma people. Although there are similarities between the situations of Travellers and the Roma community, Roma homelessness has its own complexities that require its own analysis.

The European Union's baseline report on the situation of Roma people (including Travellers) identified their homelessness as a specific issue.<sup>6</sup> Their accommodation situation was described as one of overcrowding, poor conditions, bad sanitation and homelessness, characterized by high levels of discrimination, from local authorities to private landlords.<sup>7</sup> The European Fundamental Rights Agency, in its most recent situational report, described lack of action on the housing situation of these communities as shocking.<sup>8</sup> The consequences of poor housing and homelessness had severe impacts on physical and mental health and mortality.<sup>9</sup> FEANTSA was critical of the failure to appreciate the extent to which Roma people lived, in effect, in situations of homelessness; to fund homeless services to work with them; to monitor their housing exclusion through indicators, data and statistics; and to use existing funding instruments. The new *EU Roma strategic framework for equality, inclusion and participation for 2020-2030* set the goal of reducing the gap in housing deprivation by a third and overcrowding by a half.<sup>10</sup>

The civil society sector worlds concerned with homelessness and the Roma and similar communities have developed along parallel paths. Non Governmental Organizations (NGOs) working with the homeless have grown up from the 1960s providing services at local, regional, national, European (FEANTSA) and specialized levels. The Roma communities, for their part, also developed their own civil society organizations from local to European level, such as the European Roma Rights Centre, as well as their own funding channels (e.g. Open Society Foundation).

## 1.2 NATIONAL CONTEXT

In Ireland, homelessness and the Traveller accommodation issues were likewise understood separately. From the 19th century, there were extensive accounts in official and social documentation of what were called vagrants. For example, meeting their needs was the focus of parliamentary debate on the Health Bill, 1953. Housing protest in the mid-1960s led to legislative form in the Housing Act, 1966, which governed the definition of housing need and identified local authorities as responsible. This required them to draw up schemes of letting priorities for the allocation of housing, especially to take account of unfit accommodation, overcrowding and medical circumstances. The Traveller community received official recognition in the form of the Commission on Itinerancy in 1963, now considered a notoriously assimilationist approach. This section now reviews the evolution of the situation affecting homeless people and Travellers (1.2.1); policy and planning (1.2.2); and the institutional framework (1.2.3).

### 1.2.1 EVOLUTION OF SITUATION

The situation of both the Traveller community and those experiencing homelessness has been a changing, dynamic one. Traveller community experienced upheaval as a result of the rapid economic change that characterized Ireland from the 1960s, leading to urbanization and renewed pressure on housing and accommodation. In the field of homelessness, the presence of women and children became ever more evident in a group hitherto considered to comprise largely men with personal problems. With Ireland's joining the European Communities in 1973, the situation of both homeless people and Travellers came to be better understood in the context of poverty and social exclusion. Travellers were recognized as a group living in situations of extreme poverty analogous to that of developing countries, while homeless people were re-situated in the lifetimes of their disadvantaged families, institutionalization and the labour market. The doubly vulnerable situation of women in both groups came to be recognized over time.<sup>11</sup>

The accommodation situation of homeless people and Travellers deteriorated, in two distinct stages. In 1987, the multipartisan agreement between the main political parties around a significant public sector housing programme ended, with local authority construction falling from 7,002 (1984) to 768 (1989), the former figure a high point from which it never subsequently recovered. This cut off the supply of local authority housing from which both homeless people and Travellers might have benefitted, although in practice few had so done so to date. Warnings that the shutting off of this supply would, in time, inevitably lead to a housing crisis went unheeded.<sup>12</sup> Although there was a subsequent modest recovery in public housing, the financial crisis of 2008 reduced construction to an even further low point, 75 local authority homes in 2015, moreover set against a backdrop of a much larger population. Government policy favoured re-housing in the private rented sector, introducing the Housing Assistance Payment (HAP) (€503m for all tenants, 2020), in effect moving funding from the public sector to the private, moreover the sector with the highest rents, greatest insecurity and the poorest conditions. This had especially negative social consequences for Travellers, who found themselves accommodation not in groups of homes suitable for their families, but in scattered, sometimes distant locations.<sup>13</sup>

The mid-2010s confluence of policy decisions and economic factors had severe effects for both homeless people and Travellers. In the over-heated private sector, increasing rents forced out many low-income tenants who were previously skilled at navigating the private rented sector or who in earlier circumstances might have obtained local authority housing. The result was the what was termed 'family homelessness'. Homelessness, which had in the 1980s a reasonably

constant stock of 3,000 (the numbers at any one time) and an annual flow of 5,000 (the numbers experiencing homelessness in the course of a year), rose to over 10,000 (stock) in 2019.<sup>14</sup> By this time, the Traveller community had been severely affected by post-2008 austerity measures. Pavee Point documented reductions in funding of 86% in education and in 85% in accommodation, with funding for accommodation falling from €40m a year to €4m.<sup>15</sup> Not only that, but over 2008-18, 34% was unspent.<sup>16</sup>

By contrast, spending on homelessness rose from €54.9m in 2013 to €226.2m presently, not including Health Service Executive (HSE) spending on homeless-related services, nor additional costs for the local authorities themselves, nor HAP, nor capital funding (€57.8m in 2018), nor other sources (e.g. Department of Social Protection funding for emergency services, Tusla in domestic violence). Most such spending was in Dublin; most on emergency accommodation (€187m out of €226m in 2019, 83%); and two-thirds on for-profit private services. Critics point to the overwhelming concentration of resources on passive measures (emergency accommodation), contrasting with the scarcity of funding on active measures such as long-term housing (local authority or housing association), prevention, sustainment or resettlement.<sup>17</sup> Whilst emergency accommodation was an essential humanitarian response, there was a general agreement that the homeless crisis will not end until resources are put into long-term housing solutions.<sup>18</sup>

### 1.2.2 POLICY AND PLANNING

The 1966 legislation neither included nor excluded Travellers nor people who were homeless, but its failure to meet the needs of both became apparent. In the case of homeless people, this prompted the Housing Act, 1988, which defined as 'homeless' people who had no accommodation which they could reasonably occupy or who were forced to rely on institutional or shelter-type accommodation, placing responsibilities on the local authorities which they could discharge in a number of ways. The 1988 Act required triennial housing assessments and that the local authorities have regard to the need of specific groups of people, including Travellers. Under the Housing (miscellaneous provisions) Act 2009, every local authority must have a Homelessness Action Plan, now required of each of the regions of the local authorities. Policies toward homeless people went through numerous evolutions, accelerating as the homelessness crisis deepened in the 2010s, culminating in the current text, *Rebuilding Ireland*, which required action across government departments and agencies, including health.<sup>19</sup> In the case of Travellers, the principal legislation was the Housing (Traveller accommodation) Act, 1998, which required local authorities to develop five-year rolling accommodation programmes, currently the fifth five-year programme (2019-2023) operating under

five guidelines covering accommodation options, trailer parks, transient families, basic services and group housing. Both came under the responsibility of what is now the Department of Housing, Local Government and Heritage.

In the case of the Traveller community, the post-1963 landmarks were the Report of the Travelling community review body (1983); the Report of the Task Force on the Travelling community (1995), which advanced the process of acknowledging its distinct culture and needs; and the first health strategy (2002), which recognised the importance of health issues. Not until 2017 was the Traveller community formally recognized by the state as a distinct ethnic community.

Ill-health, higher adult and infant mortality and shortened lives as consequences of poor Traveller accommodation have long been documented, the standard reference text being the 2010 *Our Geels All Ireland Traveller Health Study*.<sup>20</sup> This recommended a National Traveller Health Action Plan, reiterated in the 2020 Programme for Government *Our shared future*, which also committed to a Traveller and Roma Mental Health Action Plan.<sup>21</sup> Eleven years later after *Our Geels*, this national plan is still unpublished.

There was a substantial gap between stated policy and outcomes. Although the frameworks of 1966, 1988 and 1998 set responsibilities for local authorities and the department overseeing them, the obligations set down were minimal and neither applied nor enforced. Many local authorities failed to house homeless people.<sup>22</sup> In the case of Travellers, local authorities were slow or unable to exercise their responsibilities and attempts to provide accommodation met with considerable hostility. The slow progress in housing Travellers was attributed by most experts to local resident opposition. Traveller organizations considered that institutional racism in the local authorities played an important part as well, combined with reluctance to fully use their planning powers.

Responding to the Commission role in Roma issues (>1.1: *European context*), Ireland presented a *National Traveller and Roma Inclusion Strategy (NTRIS) 2017-2021*.<sup>23</sup> This was set in the context of at least at least 30,987 Travellers in Ireland (2016 census) (0.7% of the national population) and 4,000-5,000 Roma people. The strategy criticized the tendency to describe as 'sharing' what was in effect homelessness or overcrowding. The strategy committed the then Department of Housing, Planning and Local Government to 'accessible, suitable and culturally-appropriate accommodation' for Travellers and to address the many obstacles, such as lack of financial draw-down of allocated funding, with a commitment to 'a new system of ethnic identifiers developed across the public sector to help to track progress and/or challenges for the Traveller and Roma communities in Ireland'. NTRIS did not address Roma housing needs and the department stated that it had

no responsibilities to those whom it considered to be 'migrant Roma', a position that attracted criticism in the civil society shadow report.<sup>24</sup>

### 1.2.3 INSTITUTIONAL ARCHITECTURE

Institutional architecture, especially its consultative approach, is a relatively understudied aspect of public administration, but because of the cross-over of Traveller issues on the one hand and homeless issues on the other is given some attention here. On the homeless side, at national level, the department responsible (now the Department of Housing, Local Government and Heritage) established a Cross-Departmental Team on Homelessness (1998), comprising government departments and state agencies; and a National Homelessness Consultative Committee (2007), which also included Non Governmental Organizations (NGOs) (the following year, the committee incorporated the Cross Departmental Team). The government established the Homelessness Oversight Group in 2013, but it was disbanded in 2014; and a Homelessness Inter-agency Group of government departments and agencies in 2017, apparently no longer functioning.<sup>25</sup>

This research received contradictory reports on the role of the National Homelessness Consultative Committee, some that it had ceased functioning in 2015, others in 2017, others even that it was continuing to meet. Minutes of joint meetings of the Cross-departmental Team on Homelessness and the National Homelessness Consultative Committee are available for 21st May 2013 and 21st October 2015, although the minutes do not distinguish between who comes from which group. Whatever the case, there is now a National Homelessness Consultative Forum which has met twice: April 2019 and October 2019, but not since. This comprises representatives of government departments (8), state agencies and 15 NGO representatives, nine regional and six national, but none from the Traveller community.

From 1988, each local authority was expected to set up a consultative forum for those providing services or accommodation for homeless people. In recent years, following the Housing (miscellaneous provisions) Act, 2009 and subsequent circular (HU 1/2010), these were consolidated into regional forums (Dublin, mid-east, midlands, mid-west, north east, north west, south east, south west and west), generally hosted by a lead local authority in each (e.g. Monaghan, Meath).<sup>26</sup> There is no known readily available published system for identifying these host authorities nor for collating their reports or plans. Instructions subsequent to the circular set down membership: the local authorities of the region; other statutory bodies (mandatory: HSE, Prison Service, Probation Service, Education and Training Board; non-mandatory: Tusla, the Regional Drugs and Alcohol Task Force, Department of Social Protection and the lead local authority); and

'approved bodies', normally NGOs. Each has a management group, drawn from the local authorities and HSE, which is statutory only, although NGOs have asked for representation. In Dublin, where the concentration of homelessness may be found, the regional consultative forum comprises representatives of the local authority (5); HSE (3); Tusla (1); Probation Service (1); Prison Service (1); Education and Training Board (1); Homeless Network (3); Irish Council for Social Housing (1); Threshold (1); Department of Social Protection (1); An Garda Síochána (1); Multi Agency Group (1); Department of Justice and Equality (1); and Department of Social Protection (1). Dublin Region Homeless Executive (DRHE) staff may also attend. It meets five times a year. Fora may offer views or make reports.

In the case of the Traveller community, the consultative machinery comprised a National Traveller Accommodation Consultative Committee (NTACC); and at local authority level, Local Traveller Accommodation Consultative Committees (LTACCs).<sup>27</sup> The NTACC comprises representatives of the host department (1), the minister (3) other government departments (1), local authorities (4) and NGOs (3). It is advisory, the minister of state meeting with the committee from time to time and its chairperson relaying the advice of the committee on a regular basis. The last NTACC annual reports were published in 2013 and it is now intended to update them.<sup>28</sup> LTACCs vary from one county to another, but in the case of Wexford, for example, comprises local authority officials (1), councillors (5) and Traveller representatives (6). In the case of Dublin City, there are Traveller representatives (10); councillors from each relevant area (7); Dublin City Council officers (4); and the independent chairperson. Their role is to agree and monitor Traveller five-yearly Accommodation Programmes (TAPs).

Following the report of the high-level group on Traveller issues (1995), local authorities established Traveller Interagency Groups (TIGs), each with an interagency plan, in the then 34 local authorities, generally meeting quarterly to promote, coordinate and improve services within each county area. Sample representation includes the local authority, Traveller community, Health Service Executive (HSE), local development, youth service, An Garda Síochána, Tusla, Education and Training Board, Money Advice and Budgeting Service, LEADER (rural development), childcare services, library service, Family Resource Centres and the Department of Employment Affairs and Social Protection.<sup>29</sup>

At local authority level, Homeless Action Teams (HATs) bring together voluntary and statutory providers at local level with an operational, coordination, delivery, one-stop-shop focus rather than one of consultation.<sup>30</sup> The lead agency is normally the local authority, but this function may be devolved to a service provider. Other participants may be homeless services, mental health services, Department of Social Protection, social workers, youth workers, HSE, local authority officers

with other agencies where particular issues are under discussion (e.g. Probation service). Practice across the HATs varies: some deal only with single homeless people; others only with families; some deal with Travellers but others not; some deal with Travellers with complex needs. Their activities may include assessment, placement and case management. In the western region, it is described as a multidisciplinary case management group of local authorities, HSE, Department of Social Protection, homeless service providers and Approved Housing Bodies (AHBs) designed to respond to the needs of service users, reduce stays in homeless accommodation, reduce cyclical homelessness and ensure interagency cooperation. Travellers are not specifically identified.<sup>31</sup> In some local authority areas, a HAT was not set up; or where it was, may no longer be operational.

The 1995 *Report of the Task Force on the Travelling Community* recommended Traveller Health Units (THUs) and these were implemented as part of the *National Traveller Health Strategy, 2002-2005*, with one in each Community Healthcare Organization (CHO) region. The THUs promote improved health in the Traveller community, support Traveller healthcare workers and assist county and locally-based Traveller voluntary and community organizations. The HSE has a long experience of working with both Travellers and homeless people under its remit for social inclusion, but reports separately on its work with each.<sup>32</sup> Funding for the Traveller health programme has been limited, with the health services mirroring the pattern of the local authorities in returning sometimes large proportions of the money allocated unspent, estimated at 48%.<sup>33</sup> The HSE also funds Traveller NGOs to work in the health and related fields.<sup>34</sup> This derives from the original brief of §65 of the Health Act, 1953, which permitted the funding of voluntary organizations for health or related purposes, subsequently §§38-39 of the Health Act, 2004, a provision interpreted to support a wide range of activities. In some counties, the only significant funding for Traveller organizations appears to be from the HSE and in practice this funds Traveller groups and organizations to engage with the local authorities on accommodation, which they do not fund themselves.

The new Department of Children, Equality, Disability, Integration and Youth is the other important element. This department hosts the National Traveller and Roma Inclusion Strategy; funds four of the national Traveller organizations (Pavee Point, Irish Traveller Movement, Minceirs Whiden and the National Traveller Women's Forum) the National Traveller Partnership, which comprises 14 community development projects and a number of other Traveller organisations. Their funding was €1.74m in 2008, falling to €1.46m in 2020<sup>35</sup>

The final relevant contextual issue is that of the voluntary organizations, NGOs and civil society groups (for convenience, these terms are used interchangeably) concerned with the Traveller community, housing and homelessness. A strong

civil society is important for representation, advocacy, documentation and influencing government toward more enlightened policies. In Europe as a whole, they have tended to form in two spheres and Ireland is no exception.

Here, voluntary organizations specifically concerned with homeless people dated to the 1970s (e.g. Simon Communities), broadening in the 1980s to include women and children (e.g. Focus Ireland). Although there were some historical antecedents in the 1960s, contemporary organizations working with or representing Travellers dated to the 1980s (e.g. Pavee Point, Irish Traveller Movement). Several coalitions have embraced both, such as the National Campaign for the Homeless (1990s) and presently Raise the Roof and the National Housing and Homelessness Coalition.

### 1.3 CONCLUSIONS

In one sense these two different worlds of homelessness and the Traveller community are not directly comparable, for one is a state of being of varying duration, while the other is a minority ethnic group. At the same time, they share some similar and overlapping experiences, hardships, situations and relationship to the political administrative system.

Nevertheless, these two worlds have their own institutional, policy-making, statistical and civil society communities. Examples abound of their separateness. At European level, the most recent, 2020, review of homelessness in the countries of the Organization for Economic Cooperation and Development (OECD), which includes the European Union countries, did not even mention the Roma or Traveller community.<sup>38</sup> In Ireland, the absence of Travellers in Homeless Action Plans is striking.<sup>39</sup> Both the local authorities and their oversight department in their planning, staffing and reporting generally consider their work in the fields of homelessness and Traveller accommodation separately. The principal review of homeless services in the 2010s, which included its funding and institutional architecture, did not even mention the Traveller community.<sup>40</sup> The principal reference to Travellers in the new (2020) anti-poverty strategy is in the health and education sections, not housing or homelessness.<sup>41</sup> In that part of the country where homelessness is most concentrated, Dublin, the plan does not mention Travellers, nor are Travellers mentioned as a group targeted for assistance in the principal instrument for the rehousing of homeless people, *Housing First*, which is focussed on individuals, principally rough sleepers, those with complex or high-support needs and those with prolonged periods in emergency accommodation, with prisoners and young people identified as other target groups.<sup>42</sup>

There are exceptions. Unlike an earlier key text, *The way home*, the current principal text on housing and homelessness, *Rebuilding Ireland* includes a short mention of Traveller accommodation, the first strategic document of its kind to do so, although not the Roma community. The review of the youth

Looking at their resourcing, the homeless sector may be the only part of the voluntary and community sector to have grown since 2008, even prompting a state review (Mazars).<sup>36</sup> By contrast, Traveller organizations shared in the general defunding of the voluntary and community sector, which had still not returned to 2008 levels by the early 2020s and was unlikely to fully do so until the following decade.<sup>37</sup> So far as is known, no Traveller organization has received local authority funding for its work in the area of homelessness under §10 of the Housing Act, 1988, though it may be the case that none has applied. Those wishing to be active in housing and homelessness advocacy have used funding drawn from elsewhere.

homelessness strategy articulated the need for a greater understanding of the needs of minority groups, such as Travellers, whose situation was poorly understood.<sup>43</sup> At micro-level, the mid-west plan for 2018-2020 briefly mentioned an increase in homelessness in the Traveller community and that the issue had been raised at the regional forum; and the western region, which noted the increasing numbers of Travellers homeless (then 172 in homeless services), the cause as being the reduced availability of private rented accommodation.<sup>44</sup> At European level, FEANTSA has embraced the question of Roma housing, accommodation and homelessness, while ETHOS system statistically transcends the two worlds, stating that Travellers who are over-crowded, or involuntary sharing, are classified as homeless.<sup>45</sup>

The 'two worlds' of housing and homelessness on the one hand and of the Traveller (and Roma) community on the other are both a cause and consequence of these separate conceptual frameworks and institutional structures. It would be helpful to try to construct this architecture. The diagram below focusses on the two key streams, but it is important to be conscious of the other two mentioned above, health (e.g. HSE, Traveller Health Units); and Justice & Equality (e.g. NTRIS), which flank them. In any public administration, particular problems require designated, often compartmentalized structures and these are entirely legitimate. The problematic engaged here, Traveller homelessness, crosses both these worlds, but it is evident, some exceptions notwithstanding, that their policy framework, legislation, funding, information-collection, civil society and other systems are separate. For the 'two worlds' to be separate would not itself necessarily be

a problem, but the fact that they are *not only separate but unrelated*. There are few if any cross-over points between them.

A lack of appreciation of the importance of institutional architecture has long marked out Ireland as an outlier in the European system of public administration. Not only is the architecture not evident, but it is neither visible nor transparent. Investigating it is, to use a literary analogy, a ‘going down the rabbit hole’ experience.<sup>46</sup> The discussion in 1.2.3 above hinted at the difficulty in describing the architecture, since so little of it is published and organigrams are such a little-used feature of our public administration. The fact that the National Homelessness Consultative Forum is so little known; the lack of identifiers of the locations of the regional forums; the lack of readily available information on their membership or deliberations; the lack of identifiers of key policy makers or personnel; the nature of the HATs - this is a set of institutional structures that neither communicates nor shares information. Instead of being transmission lines of information, people and ideas, they are like black holes which absorb them. The fact that homelessness is rarely referred to in Traveller policies or structures; or that Travellers rarely appear in documentation on homelessness is an inevitable

outcome, the result being that the problem is not addressed because it is not seen. It is very difficult for emerging social problems to be addressed if the structures and mechanisms that respond are hidden, or half-hidden from sight.

The diagram below focusses on the institutional architecture around accommodation, but it is not the only problem area. There are problems on the health side as well. The most recent meeting of the National Traveller Health Advisory Committee was in 2012, while the HSE Traveller Health Advisory Forum (THAF) has no points of communication to chief officers, cannot put its issues on their agenda and a request to engage chief officers was refused. We are left with the conclusion that core contexts for Traveller homelessness are a weak policy and planning framework; underinvestment, compounded by disinvestment; and an unfit institutional architecture. Traveller organizations have signalled the importance of there being effective institutional mechanisms to ensure the implementation of policy.<sup>47</sup>

## TRAVELER COMMUNITY & HOMELESSNESS - INSTITUTIONAL ARCHITECTURE

### Department of Housing, Planning and Local Government REBUILDING IRELAND

Homelessness Policy,  
Funding and Delivery

Traveller Accommodation  
and Support Unit

National Homelessness  
Consultative Forum

National Traveller Accommodation  
Consultative Committee

## LOCAL AUTHORITIES

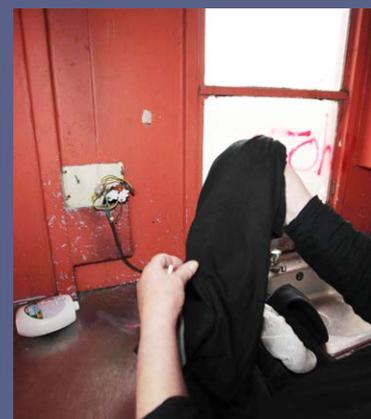
- Housing first
- Needs assessment
- Regional Homeless Action Plans
- Waiting list
- Allocations

Regional homeless consultative forum  
with NGOs  
Homeless Action Team with NGOs

- \* Annual count
- \* Traveller Accommodation  
Plans (TAPs)
- \*Waiting list
- \* Allocations

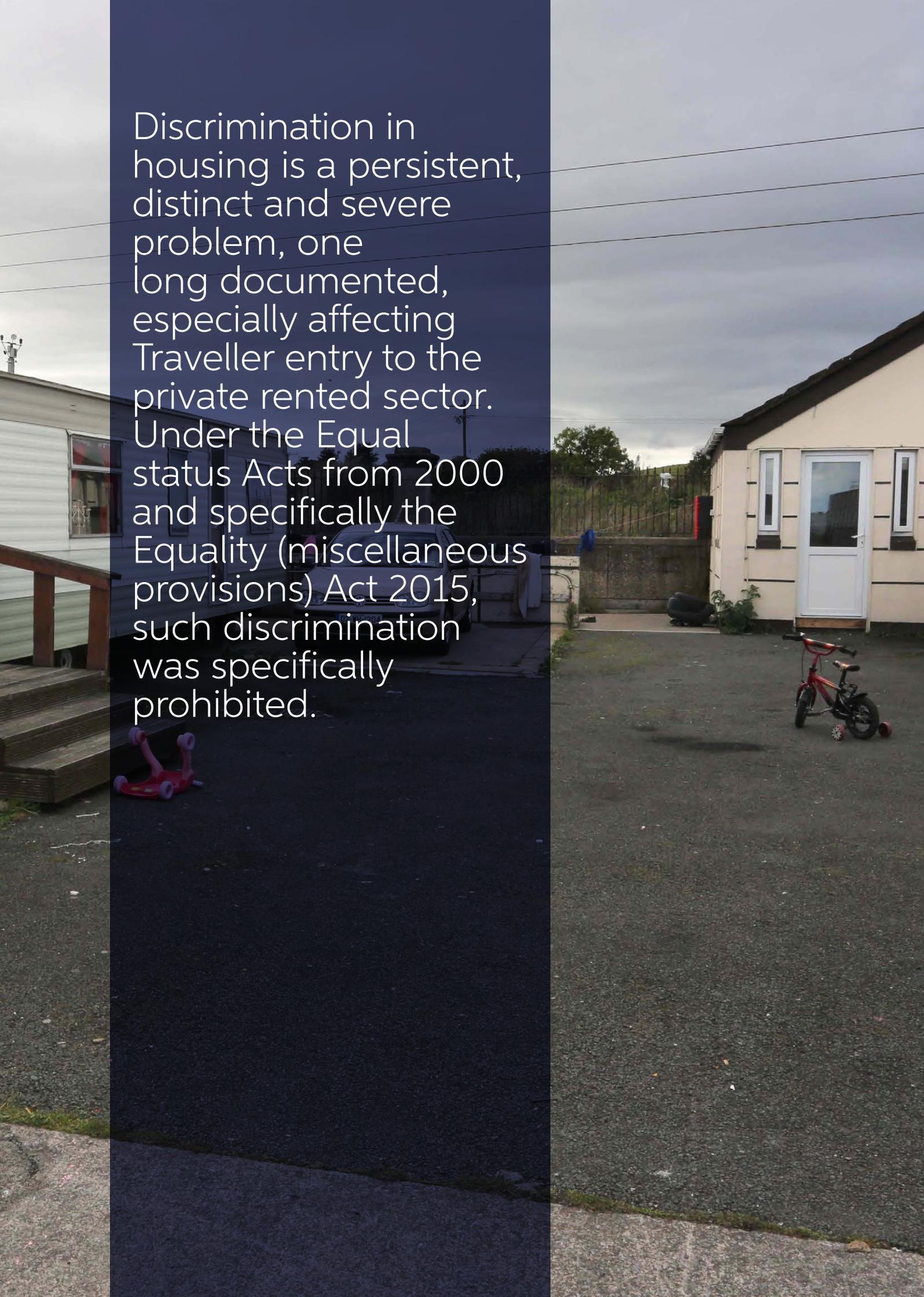
Local Traveller Accommodation  
Consultative Committees (LTACCs)  
with Traveller representatives

# EXTENT AND NATURE OF TRAVELLER HOMELESSNESS



The issue of Traveller accommodation has attracted a substantial literature. Because the area is well known, it will not be re-rehearsed in detail, except insofar as it sheds light on the interconnections between that problematic and homelessness. This chapter will assess what is known and the analytical, institutional and statistical issues arising therefrom. The first section, 2.1 will look at the general situation governing Traveller homelessness, section 2.2 will drill down into specific information on Traveller homelessness, while section 2.3 will look at specific local information. Issues arising will be discussed in section 2.4. The specific impact of Covid 19 on Traveller homelessness will be referenced (2.5), before conclusions are drawn (2.6).

Discrimination in housing is a persistent, distinct and severe problem, one long documented, especially affecting Traveller entry to the private rented sector. Under the Equal status Acts from 2000 and specifically the Equality (miscellaneous provisions) Act 2015, such discrimination was specifically prohibited.



## 2.1 GENERAL SITUATION

As a starting point, we know that 45% of Traveller households live in local authority accommodation; 21% in private rented; 20% own their accommodation; and 3% rent from housing associations.<sup>48</sup> These proportions have fluctuated over the years, with periods of decline in local authority accommodation; increase, then decline in private rented; and sudden exodus, for example after the 2015 Carrickmines fire, when safety audits led to the dispersal of Travellers (some with nowhere to go e.g. 23 families, Woodford park, Dundalk, co Louth, 2016).<sup>49</sup> The general accommodation situation is one of poor conditions, so much so as to attract a negative judgement of the European Committee of Social Rights in 2016.<sup>50</sup>

Discrimination in housing is a persistent, distinct and severe problem, one long documented, especially affecting Traveller entry to the private rented sector. Under the Equal status Acts from 2000 and specifically the Equality (miscellaneous provisions) Act 2015, such discrimination was specifically prohibited. The Irish Human Rights and Equality Commission found that membership of the Traveller community and housing were both high-discrimination areas, together a destructive combination, with levels of discrimination in private services including housing 22 times more than the white Irish category.<sup>51</sup> The total number of complaints brought by Travellers on discrimination in housing appears to be small,

15 out of 1,113 in 2017.<sup>52</sup> From what we know from other studies, lack of complaints reflects not an absence of their incidence, but the lack of an effective mechanism in which complainants may have confidence.<sup>53</sup> Although government has encouraged homeless people to take up housing opportunities in the private rented sector, especially the HAP, the sector has well-documented problems of discrimination, over-competition and payment gaps, with 82% of landlords not prepared to rent to Travellers.<sup>54</sup> SAFE Ireland has identified discrimination against Travellers affected by domestic violence seeking private rented accommodation.<sup>55</sup>

## 2.2 SPECIFIC NATIONAL INFORMATION

It is possible to identify forms of Traveller homelessness through the existing statistical collection systems. These are problematical, because none seek to identify Traveller homelessness *per se*, so we must synthesize overlapping data to compile a composite picture.

The first place to look is in the annual *estimate*, formerly called *count*, of Traveller accommodation typically taken by local authority social workers each last week of November. The following is a table of Traveller accommodation by type (families) 2016-2018.

TABLE 1: TRAVELLER ACCOMMODATION BY TYPE (FAMILIES) 2016-2018			
	2016	2017	2018
<b>Local Authority</b>	<b>5,934</b>	<b>6,234</b>	<b>6,593</b>
<i>Unauthorized</i>	536	585	591
<b>Owned</b>	<b>709</b>	<b>795</b>	<b>744</b>
<b>Private Rented</b>	<b>2,222</b>	<b>2,387</b>	<b>2,165</b>
<i>Sharing</i>	963	1,115	927
<b>Total</b>	<b>10,364</b>	<b>11,116</b>	<b>11,020</b>

Source: Department of Housing, Planning and Local Government: *Total number of Traveller families in all categories of accommodation (tables)*. Dublin, author.

This table shows an overall increase in the number of Traveller families; a growth in local authority accommodation; an increase in unauthorized accommodation; a decline in private rented accommodation; and an increase, followed by sharper decline, in sharing. Here the 'homeless' figure (*italics*) is, for 2018, using the terms *Unauthorized* and *Sharing*, 591 and 927 families, or 1,518 families out of 11,020, or 13.8%. However, it does not include those in the private rented sector *involuntarily*, which may be significant; nor those overcrowded in local authority or owned accommodation. The Economic and Social Research (ESRI) profile of the Traveller community suggested that the practice of sharing accommodation or doubling up on halting site bays, which, coupled with unauthorised sites, masked what would elsewhere be a homelessness problem.<sup>56</sup>

A second, related approach, which uses measurements of need to inform the Traveller Accommodation Programmes (TAPs) is to take a composite view of the 31 Traveller TAPs. Here, Pavee Point examined the draft TAPs of 24 available of 31 local authorities for the fifth five-year programme (2019-2024). This found 1,332 families out 8,102 sampled living in emergency homeless accommodation, overcrowded accommodation, or on the side of the road or on an unauthorized site (16.4%). In some local authorities, the proportion was over 20%.<sup>57</sup> This may give a truer picture of the extent of Traveller homelessness.

A third approach is to examine housing need. From the Housing Act 1988, local authorities were obliged to make housing needs assessments, now called social housing needs assessments, but these do not have an ethnic identifier, although they may identify those requesting Traveller-specific accommodation. The *Social housing assessments (summary) regulation, 2016* (SI 287/2016) now specifies 'Traveller' as a category that must be identified.<sup>58</sup> However, housing needs assessments do not include those involuntarily on the HAP, nor the Rental Accommodation Scheme, leading one leading academic to describe them as 'effectively meaningless'.<sup>59</sup> A recent 25% decline in figures of those assessed to be in need was described by another as more 'an artefact of change in recording practices'.<sup>60</sup>

Here, the Housing Agency made a synthesis of local authority data disaggregating the 68,693 households assessed as being in housing need. This found that 6,277 households were in housing need because they were homeless (9.1%), with additional categories in need of housing because of involuntary sharing (17.5%), overcrowding (5.3%) and so on. A total of 1,173 households on the list was identified as Traveller (1.7%).<sup>61</sup> Granted the Traveller population of over 30,000 and what is known of its accommodation situation, this is improbably small, but nevertheless more than its share of the general population (0.7%, > chapter 1).

The basis on which a person comes to be identified as 'Traveller' for the social housing list is not always clear. No ethnic identifier, as such, is used, but local authorities will ask applicants if they have been in or now require 'Traveller-specific' accommodation, for which the term 'group housing' may also be used. For example, the current letting scheme includes, in the case of Dun Laoghaire Rathdown, six priority categories of which one is *Applicants who are proposed to be accommodated in standard council housing in accordance with the Council's Traveller Accommodation Programme*.<sup>62</sup> The standard application form for housing for Dublin City Council permits the applicant to indicate a preference for a Traveller halting site bay or Traveller group housing; and asks for detail on previous accommodation, which includes these and tigin. In this case, its waiting list for October 2019 was for 16,796 applicants, divided into three priority bands: 1 (priority, which includes Travellers and homeless), 2,066 applicants; 2 (overcrowded with medical and welfare points) (7,185) and 3 (all others) (7,545).<sup>63</sup> The list had 131 Travellers and 1,647 homeless, all in band 1. In effect, the definition of Traveller may arise from the point where the applicant indicates a preference for Traveller-specific accommodation or past history therein. Whereas we can be sure that anyone who did so would indeed be a Traveller, those Travellers not indicating Traveller-specific accommodation would not be so identified. Of those Travellers applying for standard housing, about 25% are estimated to not wish to be identified as Travellers.<sup>64</sup>

Some local authorities have systems to identify Travellers in emergency homeless provision, though how they were so identified is not clear. As far back as 2010, the Dun Laoghaire Rathdown Traveller Accommodation Programme 2009-2013 identified as 'in emergency homeless accommodation', eight of 113 Traveller families.<sup>65</sup> The 2019 expert group quoted 504 Traveller families homeless in the four Dublin local authorities in October 2018, information being specially supplied, 9% of all families.<sup>66</sup> In Dublin city, there were 104 Traveller families in emergency accommodation in November 2018, according to the annual estimate: with Traveller families typically having 5.3 members, that was over 500 people homeless, 9% of the city's homeless population, children 11% of the population of homeless children.<sup>67</sup> State television, in its programme *Travellers - lives on the fringes* (December 2018), assembled figures on Traveller homelessness, based on an analysis of data from local authorities (27 of 31), finding that 8% of adults in homeless accommodation nationally were Travellers and 12% of children, 13% and 25% respectively outside Dublin.<sup>68</sup>

A fourth approach is to use the census, a general information collection instrument. The 2016 census identified 6,906 people as homeless and of these, 517 identified as Traveller ( 7.5%).<sup>69</sup> This figure is, as indicated, limited to those in emergency homeless accommodation, not the broader ETHOS definition. The census cannot give us important ETHOS categories (*in italics*), such as institutions (e.g. hospital, prison) *with no place to go subsequently*; nor non-conventional buildings *due to lack of housing*, nor living with friends *due to lack of housing*, because the census cannot make a judgement on the individual's circumstances.

Where the census is most helpful is in giving us data on overcrowding (defined as more persons than rooms) - a key element of the ETHOS definition. Here, 39.1% of Traveller households fall within the definition, compared to 6% in the rest of the population, an important indicator.<sup>70</sup> This is a function both of larger households and homes with fewer rooms (e.g. twice as much so in trailers). Table 2 shows the level of over-crowding in Traveller families compared to the general population as a whole:

TABLE 2: LEVEL OF OVER-CROWDING, TRAVELLER COMMUNITY COMPARED TO NATIONAL POPULATION (HOUSEHOLDS)						
TRAVELLERS						
Less than one/room	%	One/room	%	More than one/room	%	Households
2,437	44%	949	17%	2,191	39%	5,577*
NATIONAL POPULATION						
1,373,450	86%	135,149	8%	95,013	6%	1,603,612**

Source: Central Statistics Office: Census 2016. Figure 2.6. Percentages rounded. \*844 unstated. \*\*95,043 unstated.

Returning to institutions, one group to take into consideration is the prison population, which is generally around 4,000 people. The disproportionate number of Travellers in prison is an issue itself, but the relevance here is because many Travellers are known to face, on their discharge, accommodation problems which put them at risk of homelessness. The post-release accommodation problem is a long standing one, for the prison service has argued that it is not responsible for the accommodation of discharged prisoners, this being a matter for the local authority. We know that from April to May 2020, no less than 91 homeless people were released from prisons, so this is not an insignificant problem.<sup>71</sup> The local authority, for its part, may include questions on criminality in its application form, which may in turn rule them automatically out of consideration.

A commitment was made by the prison service for the introduction of an ethnic identifier in 2017, but no identifiers were published in the most recent, 2019, annual report and none were readily identifiable in its open information sources in 2021.<sup>72</sup> At the same time, nationality indicators were so detailed as to include oceanians.<sup>73</sup> Prison institutions have made periodic censuses of Travellers in prison, finding in 2018 that there were 414 Travellers in prison, 10% of the total population, but 15% in the case of women.

The Inspector of Prisons made a survey in 2019, which found 305 Travellers in prison, but Cork prison did not supply data, so the true figure is likely to be higher. In this study, Traveller women made up 24% of the Dochas female prison population, while Travellers made up 22% of the population of Castlerea medium-security committal prison.<sup>74</sup> Leaving aside the proportionality of the Traveller population in prison, as well as the failure to apply ethnic identifiers in routine reporting, this gives us an idea of the scale of the problem to be addressed in the form of post-release accommodation and pre-release planning.

Estimating *involuntary* private rented tenancies is not possible with existing instruments. Although some Travellers, including some younger Travellers, may prefer private rented accommodation, many do not because of the rupture with family connections, distance from Traveller communities, objections from local residents and because acceptance of such tenancies automatically leads to a loss of one's place on the housing list for local authority accommodation. Information about Traveller experiences of private rented accommodation was that push factors - overcrowding and poor conditions on sites - were stronger than pull factors, for the sector itself was unattractive and difficult to enter due to discrimination. They still preferred local authority accommodation.<sup>75</sup>

In summary, these figures gives us overlapping data to form a composite national picture, drawn from the census, social housing need assessments, Traveller accommodation preference, numbers in emergency accommodation and Roma-specific data, supplemented by national prison data. Although collected by different institutions for different purposes and with different metrics, the overall

picture is relatively consistent in presenting a national picture of Traveller homelessness in the form of overcrowding, use of emergency accommodation, housing need, housing preference and risks on discharge from prison.

## 2.3 FIELD-SPECIFIC AND LOCAL INFORMATION

Those were the national figures and here the research drills into first, specialized and then localized information sources to fill the picture with some granular detail (2.3.1-2).

### 2.3.1 FIELD SPECIFIC

Some field-specific information is available arising from studies in the areas of domestic violence, trailers and advice centres. Travellers are one of many ethnic groups - Traveller, Roma, new communities - who like the rest of the community avail of domestic violence services, an issue recognized at departmental level.<sup>76</sup> According to the department, 'housing authorities may consider victims of domestic violence as homeless' and 'may be prioritized for accommodation where this is in accordance with the particular housing authority's allocation scheme' (emphasis added). A first example is Sonas, whose services include supported housing for those homeless as a result of domestic abuse and which uses an ethnic identifier: 13% of Sonas clients are Travellers.<sup>77</sup> Another prominent provider in northside Dublin, Aoibhneas, also has Traveller users of its services. Pavee Point analysis suggests that rates of Traveller application to domestic violence services may be as high as 49% of refuge admissions and 57% of repeat admissions.<sup>78</sup>

Evidence of Traveller homelessness is apparent in the work of advice centres. In 2018, Community Law and Mediation acted on behalf of a Traveller family with three young children whose approved trailer loan had been suspended.<sup>79</sup> The action was successful, leading to the restoration of the loan, but the key issue was that it enabled the family to move out of a portacabin where it had been living, arguably homeless.

Useful information on Traveller homelessness arises from our knowledge of the experiences of those who live in mobile homes or trailers, about 12% of Travellers. Large families and intensive use mean that a typical trailer lifetime is about seven years, but many are in such a condition as to cause severe levels of energy poverty as to lead to financial hardship and ill-health.<sup>80</sup> Typical prices for a two to three-bed residential trailers are €60,000 (new) or €30,000 second-hand; or €10,000 for a second-hand holiday home trailer. Although a trailer loan scheme was introduced in 2000, it is not included in the Traveller accommodation budget and only 12 of the 31 local authorities operate loan schemes at present.<sup>81</sup> Funding is so limited in those authorities that operate the scheme that loans will cover only the least expensive second-hand trailers. For the rest, Travellers must obtain their own trailers through their own means and then rent a bay from the local authority. According to the National Traveller Money Advice and Budgeting Service (NTMABS) pressure on the loan scheme has intensified as a result of family formation (new couples with young children). The lack of or suspension of the loan scheme contributed to overcrowding, homelessness and substandard accommodation.<sup>82</sup> In its analysis, the Housing Agency also found that family formation and homelessness had put fresh pressure on sites - and trailer accommodation as a result - while overcrowding in trailers was leading to their premature dilapidation.<sup>83</sup> Overall, information on the operation of the loan scheme indirectly presents a picture of severe housing stress.

Nevertheless, many specialized studies overlook the opportunity to test for ethnicity.<sup>84</sup> Having said that, others provide important detail. For example, a national biographical study by Focus Ireland of women's homelessness found that six of sixty (10%) of the sample identified as Traveller.<sup>85</sup> In a sample group of homeless people accommodated in garda stations, half were identified as Travellers or Romanian.<sup>86</sup>



### 2.3.2 LOCAL INFORMATION

Local evidence is more plentiful, starting with Dublin, where homelessness is most concentrated. Two such studies examined the pathways of representative homeless families into and out of homelessness, including that of Traveller families, under the rubric of the new problem of 'family homelessness'. Focus Ireland's report *Finding a home - families' journeys out of homelessness* sought a cross-section of the homeless population and for that reason included ethnicity (a random sample of 100 was narrowed to a sample group of 20 of whom four were Traveller, or 20%).<sup>87</sup> The Housing Agency study, *Family experiences of pathways into homelessness*, used a sample group of 773, from which a cross-section of 30 families was drawn, of whom two were Traveller, over 3%.<sup>88</sup> Their importance was in identifying Travellers as disproportionately affected by family homelessness. Some of the Traveller families had long experiences in and out of homelessness in what might be called mainstream, rather than Traveller-specific accommodation. The Housing Agency study identified the problem of access to private rented when it recorded that 'Travellers reported being turned away once it was identified by their name, accent or appearance that they were Travellers' (p33).

In the Dublin City Council area, record-keeping makes it possible to combine information on Travellers in emergency accommodation alongside information from traditional Traveller counting systems.<sup>89</sup> In 2017, 99 Traveller families were in emergency accommodation (9% of all families in emergency accommodation); 104 families in 2018. The number of Travellers considered homeless (individual adults and children) rose from 283 in October 2018 to 388 in November 2019, up 105%.<sup>90</sup> The records of the

Traveller section show that in 2017 there were 736 families on its books, of whom 47 were recorded as sharing; in 2018, there were 802 families, of whom 69 were considered to be sharing accommodation and 12 sharing sites (81); in 2019, the council recorded 906 families, including 67 sharing accommodation, 18 sharing on sites and 88 in emergency accommodation.<sup>91</sup> The most striking figures here are the rapid rate of increase: 736, 802 and 906.

Outside the capital, there is evidence of local Traveller homelessness from studies available from Offaly; Galway; Cork; Kerry; Wexford; and Limerick. The Offaly study specifically focuses on homelessness.<sup>92</sup> This found that of those presenting as homeless to the county council in 2016, 19% were Travellers, greatly disproportionate of their representation in the county's population (1.3%). At that time, 13.5% of Travellers in the county lived in unauthorized sites, fulfilling the official definition of homeless. The Offaly study was important in illustrating the process of homelessness for Travellers: whereas some had single experiences of homelessness, others had multiple episodes, some short, some long, principally on unauthorized sites. Homeless Travellers sought local authority accommodation - standard or Traveller specific - because of its security, but little was available.

The Galway Traveller Movement reported on ten sites in the city and eight in the county under a number of criteria including overcrowding, reporting that no progress had been made and that the local authorities were in breach of international human rights standards.<sup>93</sup> The next five-year plan, 2019-2024, had no credible programme to address the problem, it said.

#### Direct evidence of the Traveller experience of homelessness in Cork was presented to the 2016 National Traveller Accommodation Conference. This heard that:

Travellers experiencing homelessness in Cork city are often hidden. These are families who live in trailers behind their parents' house, in overcrowded houses sleeping on the floor or on couches or on unofficial sites around the city in camper vans without any facilities. These families do not have secure accommodation and live in fear of eviction. Families without facilities must use the local swimming pools for showers and the children use public libraries to do their home work in wintertime. There are families in Cork city on unofficial sites using candles for light and who worry daily about the danger of fire from this. Homeless families can find it very difficult to get social welfare payments because they don't have a permanent address, trapping them into further poverty. The city council has made no provision for these Traveller families in their previous or current accommodation plans.

These families have been on council housing waiting lists for a number of years and the only system being offered to them to secure a home is the online choice based letting scheme, which allows families to bid on houses. This is not suitable for families who are not computer-literate and in many cases do not have access to electricity, never mind computers. For these families, online choice based letting is just another barrier. In addition, choice-based letting does not make any provision for meeting the needs of Traveller families who require Traveller specific accommodation and denies their identity as Travellers.

Other families live in private rented houses, under the pretence that they are not Travellers, living in fear that once their identity is revealed they will be evicted. They also suffer from isolation and lack of support from their families because they can't allow their families to visit in case the landlord discovers they are Travellers.

A Cork conference (box) concluded that key actions to address the specific needs of Travellers must be part of a national strategy to address homelessness.<sup>94</sup> According to the Traveller Visibility Group, 'many Traveller families are trapped couch surfing, in severely overcrowded houses, or living in trailers in parents' yards and driveways or other unauthorized areas without facilities. These families are not being recognized by the current system'. Some were refused accommodation on the grounds that they made themselves homeless by travelling.<sup>95</sup> In a survey in Cork city in 2019, nine of 125 families were homeless, with 76 in halting sites and trailers, 31 in group or council housing and six in private rented accommodation. 81 families were sharing and 91 families overcrowded, significant numbers without electricity, water, toilets, heating or refuse collection. 83 families were on the housing waiting list, some for over 16 years.<sup>96</sup>

The situation of homeless Travellers was documented in north Cork.<sup>97</sup> This found that 67% considered themselves to be in unsuitable accommodation, 37% had reported themselves to the council as homeless or in unsuitable accommodation, while 5% of families were living in single hotel rooms where they experienced overcrowding, sleeplessness and despair. 43% had been on the housing list more than seven years. Overcrowding was one of the main reasons for unsuitability, with considerable impact on mental well-being, exacerbated by problems of cold, damp and lack of heating and running water.

In a survey of 397 Traveller families in Cork and Kerry using the ETHOS definition, 32 families identified themselves as homeless; 44 as living on the roadside; and 207 as overcrowded, or 339 of total (85.6%, N=396). For the purpose of this research, this is of particular importance, for ETHOS is the specific guideline set in the terms of reference.<sup>98</sup> The official figures, compiled by the local authorities for purposes of the fifth five-year plan, were reported as 29 for Cork and 0 for Kerry, illustrating the gap between the European and local understanding of homelessness.

Because the general situation of Travellers in Wexford was unexceptional nationally, it is likely that many aspects of their experience would apply to other counties.<sup>99</sup> This study found that Traveller households were larger than the national norm, with the risk

of over-crowding. 3.3% of households comprised families living together, compared to 1.3% of the national population (three times higher). When it came to accommodation and based on the annual Traveller count, 626 families had accommodation (owned, local authority, private rented, voluntary social housing, halting sites), but 99 did not (46 sharing with relatives and 53 on unauthorized sites, most likely trailers adjacent to authorized trailers), filling the ETHOS homeless definition (total 725 families). By another indicator, the census, 141 individuals lived in temporary accommodation, 9.5% of the Traveller community in the county, compared to 1.3% of the national population. The reality of conditions close to homelessness was emphasized by the poor condition of much accommodation, over-crowding and poor sanitation. Traveller preferences were for local authority accommodation (the preference of 111 families out of 128), because of its security. Private rented accommodation was regarded as insecure and a poverty trap, even if available.

In Limerick, north Tipperary and Clare, about 40 of the 417 Traveller families in the region are estimated to be homeless, mostly overcrowded. It is a young population in the process of family formation, with families larger than the national norm. Most avoid and few present to homeless services or have contact with the voluntary providers.

Depaul compiled a profile of 30 Travellers using its service in from January to July 2020 (they could opt out of the ethnic identifier if they so wished) (42 episodes). They covered the full age range from 18 to 64 and were evenly divided between men and women. Most came from homeless services, the rest from sleeping rough, family/friend, rental or other housing and hospital. Stay times ranged from one night to three years, while three families were in residence over two years, illustrating the long-term nature of their situation. Depaul works with some Travellers who have a history of exclusion from their own community due to drug abuse and codependence, which leads to chaotic patterns of homelessness, especially among women, inevitably affecting their children. Sleeping rough can be a consequence of lack of services for couples in shelters and there is a need for case management, harm reduction and tenancy sustainment services.

## 2.4 ISSUES ARISING

In this chapter, information-collection on the nature of Traveller homelessness has relied on a number of sources, national, specialized and local to form a composite presentation. In the absence of a single instrument, this snapshot must be composed from a number of systems devised for other purposes. While it is possible to form a satisfactory if imperfect picture, it is also evident that there is a general lack of a coherent approach to information collection that might capture Traveller homelessness and specifically the use of an ethnic identifier. This is not an esoteric or academic issue, but at the core of the problem. It is often said that 'what is measured is done'. Conversely, the lack of a functioning system of measurement will inhibit action.

Chapter 1 referred to the ‘two worlds’ of the Traveller (and Roma) and homeless people in the conceptual, institutional and policy-making fields. At national level, Travellers are not part of the measurement system around homelessness: although the Department of Housing, Local Government and Heritage issues monthly homeless figures (adults), these figures are limited to those in emergency accommodation and do not identify Travellers or Roma. Its performance reports do not refer to Travellers either, nor the departmental reports which summarize them. Likewise, the measurement system around Traveller accommodation, whilst it does recognize those sharing and on unauthorized sites as homeless (table 1), does not recognize those severely overcrowded on authorized sites or elsewhere, nor those involuntarily in private rented (table 2).

The principal instrument to measure the heart of homelessness - those in emergency accommodation - is the Pathway Accommodation and Support System (PASS) developed by the Dublin Regional Homeless Executive (DRHE). This was introduced in Dublin from 2010 and nationally from 2013, being used by the local authorities and by NGOs providing services on their behalf. Here for convenience called PASS I, originally intended as an instrument for case management, it subsequently became a key instrument for counting homelessness and extracting subsequent data. This research experienced considerable difficulty identifying the role of ethnicity in PASS, with many different beliefs and rumours about how it operated. Its architecture is available only to those operating the system, never supplied externally, its amorphous nature making it difficult to question or challenge.<sup>100</sup> The outcome of investigation was that there is an ethnic identifier in PASS I, but it is not mandatory. Families and individuals presenting as homeless may be asked their ethnicity, but providing it is not a condition for receiving service. Information from voluntary organizations indicates that the question is often not asked. It is understood that a new PASS II is due to be introduced, with a higher expectation that this section be completed. This is a critical matter, for the Department of Housing, Local Government and Heritage is clear that the reason why there are no national statistics on Traveller homelessness is because of the lack of an identifier in PASS, a matter now under consideration.<sup>101</sup>

A consequence of the lack of an ethnicity identifier is that in that part of the country where homelessness is most concentrated and has been most researched, Traveller homelessness is invisible. The *Homelessness action plan for Dublin 2019-2021*, under which there are subordinate annual plans, makes no mention of Travellers, nor does the 52-page guide to the sleeping rough count.<sup>102</sup> The paper *Using administrative data for inform operational and policy developments relating to family homelessness in the Dublin region* examined demographics; the characteristics of families affected; nationality, but not ethnicity; larger

families, but not Travellers.<sup>103</sup> In *Homelessness and the assessment of housing needs 2016: report for Dublin*, DRHE made a synthesis of PASS, bi-annual rough sleeping counts and housing waiting list data, based on a population of 6,314 adults registered for PASS over 2016. The report captured many features of the homeless population e.g. age, gender and had a test for nationality but not ethnicity.<sup>100</sup> Nor does PASS encompass domestic violence refugees. Examination of the extensive record of DRHE reports and specialized analyses shows that Travellers are rarely mentioned. Furthermore, although the DRHE has given considerable attention to issues around the use of administrative data concerning homelessness, the lack of data on Travellers does not appear to have been registered as an issue.<sup>105</sup> To profile homeless people, DRHE made *Profile of families experiencing homelessness in the Dublin region 2016-2018* with a family composition of homelessness (including size), gender, age, citizenship but not ethnicity. It interpreted reasons for and circumstances of homelessness but did not identify Travellers at any stage.<sup>106</sup> Likewise, Travellers were not evident in *Family progression through homeless services 2016-2018*.<sup>107</sup> There does not appear to be early thinking on including Travellers within such examinations, for example in the DRHE text *Homelessness - what works and what needs to be done*.<sup>108</sup> Ironically, PASS can provide information on citizenship and nationality (for example, we know how many people from Kosovo or Oceania are homeless, but not Travellers).<sup>109</sup> When listing reasons for vulnerability to homelessness (those identified were lone parents, large families and non-Irish nationals), the DRHE did not include Travellers, but this is hardly illogical if there is no system for identifying them.<sup>110</sup> Furthermore, we do not know the manner in which it may have been sent instructions, indications or even signals from the oversight department that it should include Travellers (or Roma).

The DRHE’s principled position is that it will assist all those who are homeless, regardless of their ethnicity. Concerns have also been expressed that self-identification, if it cannot be verified, may be unreliable, but this is true of most information under such circumstances. Probably more so than anyone else, the DRHE has made significant efforts to tackle the issue of homeless data so as to improve our understanding of homelessness, but the problem, *ab initio*, is that the Traveller community has not been included in this encapsulation. This is not just an academic point, as this practical example illustrates. There is a belief that Travellers are more likely to stay longer in homelessness than non-Travellers, possibly due to exits being more difficult because of discrimination and the lack of suitability of larger houses for larger families, but without identifiers, this is impossible to know for sure. A final point is that ethnicity is not the only consideration, for other statistical critics will point to the importance of gender and the need to understand the full dimensions of women’s homelessness.<sup>111</sup>

The lack of identification of Travellers within the homeless problem on the statutory side is reflected among voluntary organizations. From what is known, voluntary organizations providing services for the homeless use the PASS system as their principal recording method and for 'booking people in'. Voluntary organizations are aware of individual Travellers using their services, but because the Traveller marker is not mandatory, it is generally not used. They are aware that some Travellers will not identify themselves as Travellers, possibly because they do not want people known to them to be aware of their accessing homeless services, or for fear of subsequent discrimination when they try to leave homeless services for onward accommodation.

A significant number of voluntary organizations work with the homeless community, the principal ones being the Society of St Vincent de Paul, Simon, Novas, Focus Ireland and the Fr Peter McVerry Trust. In Dublin, for example, 23 NGOs are funded by the DRHE to provide services for homeless people. Generally, voluntary organizations give total figures on numbers using their services and the number of Travellers using their services are not readily identifiable. Depaul is an example, though, of how the use of an ethnic identifier can shed considerable light on Traveller homelessness and give us insights into trajectories and needs, while the Simon Community is conscious that data on ethnicity would be useful.<sup>112</sup> There is no equivalent in this country of the German tradition of the *Statistisches Bericht* (Statistical report) whereby they publish detailed statistics of their clients. It is not as if voluntary organizations are not required to provide a detailed account of their work to their funders: they are, for example a Service Level Agreement (SLA) is typically 62 pages long. Whether they are collecting the most appropriate information is another matter. They do not include ethnic identifiers, nor information that could contribute to a useful, wider, published statistical report.

Turning to voluntary housing associations, now termed Approved Housing Bodies (AHBs), which number 520 and whose provision has focussed on homeless people, those on low incomes, people with physical or intellectual disabilities and older people. They have a current stock of over 30,000 homes. There is a large number of small associations

in a field dominated by a small number of larger providers. In the homeless field, the principal organizations are Respond, Cluid, Circle, the Salvation Army, Sophia and Depaul. In 2018, for example, 3,219 housing association homes were provided, but there is no readily available information on the number, if any, provided for Travellers.<sup>113</sup> It is known that Cluid and Respond work with Travellers, but there appears to be only one specifically for Travellers: CENA (Culturally Appropriate Homes) (estd. 2010), which has developed pilot projects in Galway and Offaly and the 2019 expert group did not appear to be aware of others.<sup>114</sup> This is an important issue, for the only limited information to hand suggests that this is a form of housing that is under-developed for Travellers. For example, of the 906 Traveller families in the Dublin City Council area, only 31 were in voluntary housing.<sup>115</sup> In the absence of an ethnic identifier, it is impossible to know for certain. Voluntary housing has a reputation for quality, service focus and providing tailor-made solutions for its clients, so the absence of an identifier in the sector has important practical - and negative - consequences for our knowledge of how well it meets the specific needs identified here.

These statistical issues have been raised at national level by Jennifer Murnane O'Connor (FF) in the Seanad who quoted the aforementioned figures from RTE, stating her view that Travellers who were homeless must be categorized accordingly. The then Minister of State at the then Department of Housing, Planning and Local Government, Damien English, refuted the claim that they excluded Travellers from the homeless statistics. While they did not necessarily record ethnic identity on forms detailing who was homeless, he knew from the local authorities who was included in those figures: without a doubt, Traveller families comprised a significant proportion, with an estimate of 8 - 10% suggested, but it was much higher in some counties. No one was hiding the figures and they were trying to fix the problem.<sup>116</sup> This, though, was a less than satisfactory answer, for it appeared to give greater weight to his own intuitive knowledge than a system that could provide both precision and detail. The expert review (2019), recommended that an ethnic identifier should be used to track progress in the meeting of Traveller housing need.<sup>117</sup>

## 2.5 IMPACT OF COVID 19 ON TRAVELLER HOMELESSNESS

The Covid pandemic gave the accommodation situation of Travellers new salience. At the risk of stating the obvious, over-crowding made it impossible to practice social distancing, isolation or quarantine, while poor sanitation made good sanitary practice (e.g. handwashing) difficult.<sup>118</sup> Early positive tests of sample groups indicated a prevalence of Covid of 12%, against 6.7% in the general population, twice that of the general population, with 2,000 people infected in the third wave.<sup>119</sup> A serious problem was that although Traveller organizations observed at first hand the disproportionate impact of the virus on the Traveller community, the lack of ethnic identifiers in Ireland - in contrast to other countries - made it impossible to get precise information.<sup>120</sup> Ethnicity was not included in the ambulance service assessment form, nor on death records. Records of teleconferences between Traveller organizations on the one hand and the HSE on the other show that there was sustained pressure for ethnic identifiers to be applied by the Department of Health, NPHET and elsewhere.<sup>121</sup> It is reported that an ethnic identifier was agreed for the Computerised Infectious Disease Reporting (CIDR) system, but this is not immediately apparent in its most recent publications.

Pavee Point was extremely critical of the failure of the Department of Health to engage with Traveller organizations, in contrast to other government departments and agencies, including the HSE. Additional €3.9m Covid-related funding was allocated for Traveller accommodation in 2020, with some speedily providing running water, sanitation, electricity, but by November only €2.5m had been claimed and five local authorities did not claim any (Kildare, Laois, Longford, Meath, Waterford City).<sup>122</sup>

Although NPHET established a sub-committee to prioritize assistance to vulnerable groups, Travellers were not initially listed as a vulnerable group, nor did vulnerable settings include Traveller sites.<sup>123</sup> Although voluntary organizations were included on the NPHET sub-committee, Traveller organizations were not. It is hardly surprising that the situation of Travellers did not feature prominently in its subsequent discussions. The shift to telehealth was made without reference to, or apparent consideration of, the low levels of internet literacy or access in the Traveller community.

## 2.6 CONCLUSIONS

Here, we can come to a baseline set of data for Traveller homelessness that brings together the foregoing into a single consolidated form (table 3).

Measurement system	% homeless	Number	Date	Notes
Local authority counts	13.8%	1,518 (families)	2018	a
Analysis of TAPs	16.4%	1,332 (families)	2019	b
Housing needs assessments	1.7%	1,173 (households)	2019	c
Census as homeless	7.5%	517 (individuals)	2016	d
Census as overcrowded	39.1%	2,191 (households)	2016	e

Notes:

- a. Definition of 'unauthorized sites' and 'sharing'.
- b. Similar, based on 24 of 31 local authorities.
- c. Basis for identification as Traveller for this list not clear.
- d. Those in emergency accommodation self-identifying as Traveller.
- e. More than one person per room, based on 30,987 national figure

Each of these assessment systems is problematic. The first is immediately apparent, which is that measurements use different metrics (families, households, individuals and a sample survey); definitions (unauthorized sites, sharing, overcrowding) and methods (local authority assessments, census, survey samples). Although there will be an element of double counting, there will also be under-estimations: Travellers not self-identifying, prisoners with no place to which to go on discharge, those in domestic violence refuges or involuntarily in private rented accommodation. Imperfections are the inevitable outcome of the lack of coherence between the systems for 'Traveller statistics' and 'homeless statistics' as well as the lack of ethnic identifiers at key points and under-investment in appropriate statistics.

Nevertheless, these differences have a strength, which is that, set in the ETHOS framework (chapter 1), they cross the spectrum of those in emergency accommodation; those on unauthorized sites and sharing; those adjudged to be in housing need; those overcrowded and the Roma community.

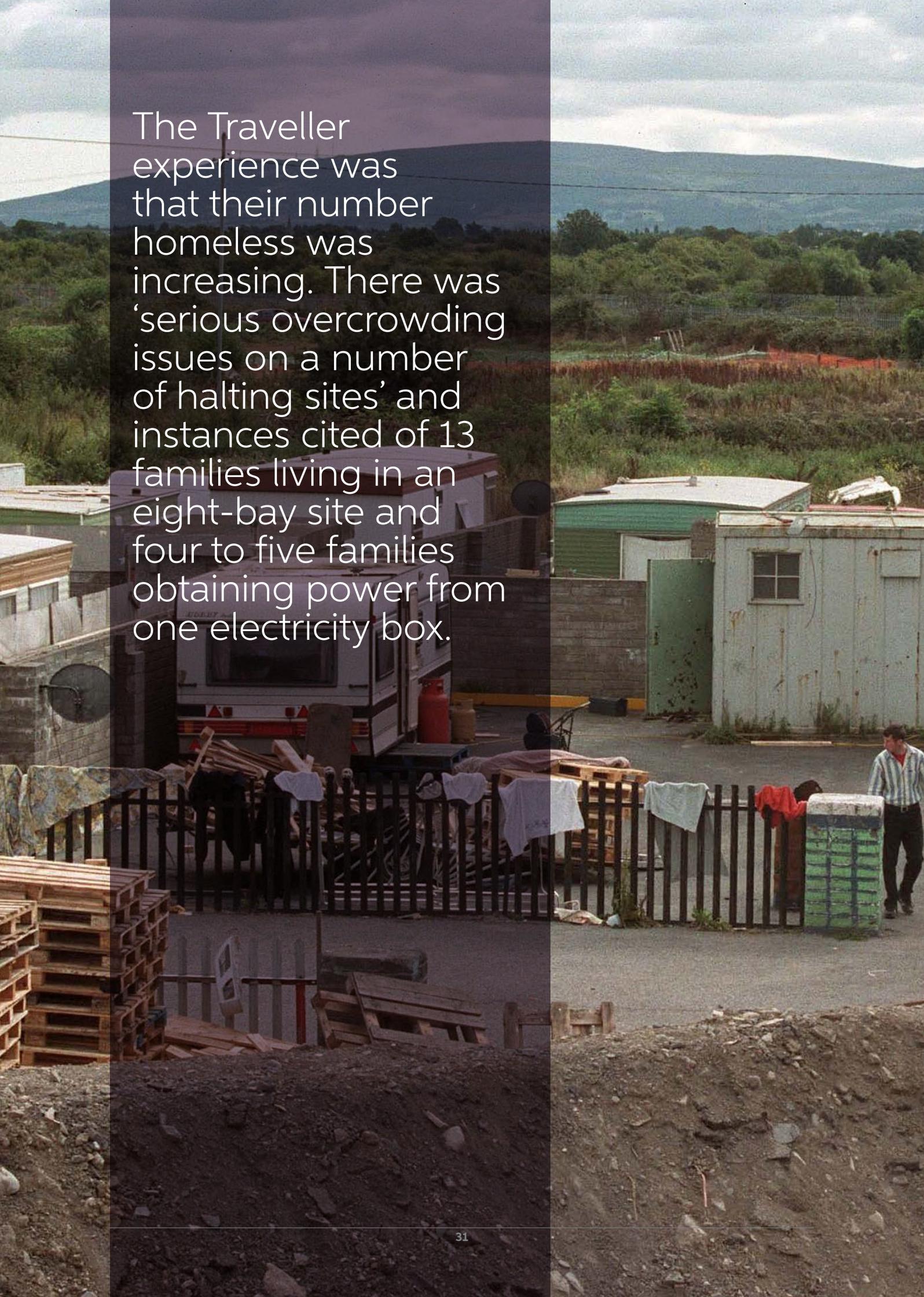
The most striking point is 'overcrowded', derived from the census, showing that over a third of the Traveller community is under such acute housing stress as to lack a proper home and thereby falls within the ETHOS homeless definition. Bearing in mind that Travellers comprise 0.7% of the national population, they are grossly over-represented in every single form of categorization of homelessness. These are the statistical, quantitative data on homelessness. They are very much static, snapshot-in-time data and the next chapter will examine the qualitative experience and processes of homelessness in the Traveller community.

# EVIDENCE FROM THE TRAVELLER COMMUNITY



This research invited contributions from national and local Traveller organizations and individuals so as to paint the fullest possible picture of the nature of Traveller homelessness. Evidence collection was done through written reports, zoom conferences and individual interviews, locally (3.1) and nationally (3.2). There was a focus on trying to ascertain the trajectories and journeys into, in and out of homelessness, because homelessness is not a single event but a process over time and place, one that often covers multiple aspects of the categorizations of homelessness described in chapter 2. The final section, 3.3, will draw conclusions.

The Traveller experience was that their number homeless was increasing. There was 'serious overcrowding issues on a number of halting sites' and instances cited of 13 families living in an eight-bay site and four to five families obtaining power from one electricity box.



### 3.1 THE LOCAL PICTURE

Wicklow Travellers contributed their impression of the nature of Traveller homelessness in their county.<sup>124</sup> By way of context, the county's *Traveller Accommodation Programme 2019-2024* recorded 254 families of whom 142 were in standard or group housing, 21 in halting sites and basic serviced sites, 10 with their own owned home, 30 in the private rented sector and a group of 59 homeless, defined through the chapter 2 categories of *sharing* or on *unauthorized sites* or in emergency accommodation.<sup>125</sup> There was an issue of unauthorized sites and camping, but this were seen as an isolated problem in itself, rather than understood as an inevitable consequence of homelessness. Emergency accommodation was scarce. The Free Legal Advice Centres (FLAC) had intervened in the case of a Traveller woman who could not get into the domestic violence refuge, because it was full, but eventually the council provided five nights accommodation. The council appeared to find it difficult to source B&B accommodation in the county and at times relied on opportunities in Wexford.

The Traveller experience was that their number homeless was increasing. There was 'serious overcrowding issues on a number of halting sites' and instances cited of 13 families living in an eight-bay site and four to five families obtaining power from one electricity box. Travellers had left the private rented sector and returned to sites, putting additional pressure on them. Simply adding trailers to existing sites created the risk of overcrowding of sites (especially fire dangers) and problems with planning.

Progress in obtaining accommodation seemed to be very slow and Travellers felt that they were 'bottom of the list'. There was a shortage of staff in the Traveller section itself. Some families had moved to Dublin in the hope that they might get accommodation there sooner. Momentum in progressing accommodation seemed to have been lost because of the need to safe sites in the aftermath of the tragedy in Carrickmines. Trailer loans were difficult to get.

One particular problem was the problem of Travellers being removed from the housing list. This problem has been documented in the case of homeless services when there was periodic culling of the list to check that the applicant was still actively looking for housing, checks which often did not reach the person concerned.<sup>126</sup> The Traveller Accommodation Plan gave the undertaking that no one would be removed from the list *without prior consultation with the social worker*, but provided no safeguards for surety of checking with the actual applicant (emphasis added).

Evidence collected from one rural county described the situation as follows. Travellers find themselves 'living in a car; emergency accommodation; temporary

and inadequate accommodation; unofficial sites with no facilities and nowhere else to go due to a lack of provision of Traveller-specific accommodation appropriate for their needs; dilapidated, unsafe and insecure accommodation; and extremely overcrowded temporary accommodation. The county has three overcrowded official halting sites, with scattered, small unserviced sites without water, electricity, toilets or refuse collection (75 adults and 93 children), a situation with obvious health implications. They live in constant fear of eviction, or, if they left the area, their place on the housing list, so they were forced to continue to live in distressing conditions. No new halting sites have been built' (minor editing for brevity). Evidence from another rural county was that 'while there would not be a large number of Travellers deemed homeless, there is a lot of Travellers living with their parents or in trailers in their parents or relatives yards who would see themselves as homeless because they do not have a home of their own and are living in overcrowded conditions with young children' (emphasis added).

The Longford Primary Health Care Project for Travellers gives us a comprehensive overview of the situation in that county. A survey found 35% of Travellers there living in overcrowded conditions. The study was especially valuable in identifying the vicious circle of overcrowding, eviction, doubling up with parents, discrimination, loss of welfare entitlements, fear of the settled community and lack of support from the county council. Those homeless found themselves contacting the gardai when county council offices were closed. This experience illustrates the role of primary healthcare projects in addressing issues of accommodation and homelessness.



### 3.2 THE NATIONAL PICTURE

Pavee Point collected information on Traveller homelessness in the course of two remote conferences held in the course of this research, with contributions from Traveller organizations and Primary Health Care Projects from a wide range of locations (e.g. Cork, Dublin, the midlands, Donegal and Wicklow) and services (e.g. National Traveller Money Advice and Budgeting Service).<sup>128</sup> Information supplied at an earlier discussion on Traveller accommodation was also used.<sup>129</sup> Some stories are provided (inset) to illustrate experiences.

It was immediately apparent that homelessness was very much part of the present-day lived reality of the Traveller community in Ireland. Those working with Travellers reported many cases of 'people with nowhere to go'. Participants cited cases such as prolonged periods homeless, up to two years, for a woman and five children; a similar duration for a couple with five children; multiple cases of families sleeping in cars because they had no place to go, moving from one location to another; a family with five children sleeping on a floor for a month; and one individual living in a shipping container. Perhaps the most useful approach is to look at the Traveller experience through the cycle of homelessness, from the precipitating event or factor; presentation; the experience of homelessness; and exiting therefrom (3.2.1-4).

#### 3.2.1 BECOMING HOMELESS

There seemed to be two main reasons why Travellers became homeless. The first was eviction from the private rented sector, already known to be the principal precipitating event for most of the general population. This could lead to people returning to sites and in one county, with no roadside sites five years ago, there were now 22 families roadside. The second was eviction from overcrowded sites, in quite a number of cases by the local authorities themselves. Domestic violence was a third factor. As a result, there was increasing presentation to homeless services of young Travellers, generally couples with or without children.

Conditions on sites were generally described as poor. Site conditions lacked the essentials of a home and one contributor spoke of how 'we have many cases of families living without running water, electricity or toilet facilities'. There was one tap for twenty families and 'you have so little space of your own'. Some sites were dangerous, being right beside busy main roads. The example was cited of one site which had flooding, a lack of drainage and was rat-infested. Site maintenance was poor and delayed. Portalooos could have been provided on the sites. They had taken photographs to try to get the local authority to fix the site, but with no outcome. Some homes had even been boarded up by the local authority because they were so unfit - but no alternative had been provided instead. Some were isolated, with no bus routes nearby.

Overcrowded sites was a widely known problem. This research received several reports of councils either demolishing trailers or sending in contractors to do so, making residents immediately homeless. In the case of a young mother with two children in a dilapidated trailer, the council deemed the trailer a fire hazard, dangerously close to a neighbouring trailer and ordered it moved. It was so obsolete that it was likely to fall apart if moved. The family agreed to its removal and to buy a new trailer (the local authority refused to assist with the costs). The council then charged the family for the demolition and removal of the old trailer. One family had to go into emergency accommodation because the trailer was demolished by the local authority. One family whose trailer was damaged by a storm applied for a trailer grant, but it was refused with no reason being given.

An example of over-crowding was Finglas, where 65 to 70 families lived in 50 homes. The overcrowding was all the more difficult to endure when they lived beside land being developed for housing, one adjacent for a project for 250 homes, but from which they which were unlikely to benefit. Over-crowding was continuously stressful: in one trailer there was a family of eight, including a child who had just had open-heart surgery.

People left sites because they were obliged to do so because of new rules for gap clearance (the distance of one trailer from another). One family on becoming homeless from the private rented sector returned to a site and set up home there, but was evicted because it was already full and this was illegal. The family had no legal representation so was in no position to fight the case. Another family spent three years in dispute with the local authority through the courts, but for the first two years had no legal representation and in the course of this the family members became 'scattered to the four winds'. Where families did obtain legal representation, for example from a law centre, then cases might be settled on the steps outside the courthouse. These evictions created a great sense of insecurity.

Domestic violence was the occasion of homelessness in quite a number of cases. Those fleeing domestic violence had to rely on friends, unless there were a refuge with space available. One family was asked to leave a refuge after a month (this is a rule for everybody in some services) but in the absence of any other accommodation had to risk returning to a violent home.

Some found themselves sleeping rough for short periods. Some young people stayed with their parents or moved back into their parents or grandparents because nothing else was available, but that caused overcrowding. Travellers avoided private rented because they knew that residents in these estates did not want them there and many left due to hostility and objections. Many had experiences of landlords selling up and putting them out. Fourteen years was a typical period on the local authority waiting list. An example of desperation was a family - without domestic conflict - where the woman applied to a domestic violence refuge to get a roof over her head and the man went to live somewhere else.

The social welfare system left them with little, once rent and utilities had been paid for and unemployment meant that there were few opportunities to earn more. The welfare system seemed to come up with all kinds of rules that made life more difficult. The Department of Social Protection would not pay more than one set of allowances per bay, even if there were more than one trailer in the bay. Sometimes officials insisted on written permissions for a second trailer to be in the same bay. This situation refers to a complex set of interactions between the department and the local authority not wishing to recognize an illegally parked trailer, so its residents must sign as living in the legal trailer, which has consequences for both rent and entitlement to fuel allowance.

Another challenge was the requirement for social welfare applicants to prove that, as they were told verbally, they did not have 'land or a second home down the country': this required them to get a form stamped by the Revenue Commissioners, who were happy to oblige but mystified as to why they were asked for this form of verification. This was a reference to HPL1, a two-page form *Property registration for social housing applications*, which must be stamped by the Revenue Commissioners for every application for social housing support. Applicants must get the Revenue to certify that the applicant has not previously claimed income tax relief in respect of interest paid on money borrowed to purchase or build a dwelling, with the applicant providing details of present and previous addresses; while applicants who have lived in other countries must provide proof, appropriately verified by that country, that they do not have property interests there. Granted the existing stress of homelessness, they found it oppressive to be sent on a needless paper chase around their previous addresses.

Some families were relocated during the Covid 19 virus in 2020, some families to a hub. One Dublin family was relocated, but far away to Navan. Some men stayed in prison beyond their release date because they thought they were safer there.

### 3.2.2 PRESENTATION TO HOMELESS SERVICES

Presentation for help from homeless services has long been known to be a challenging and difficult experience, but this is further compounded by issues of Traveller identity. Travellers reported long periods in public offices waiting to be seen (4½hr was cited). They experienced what they called 'a bad attitude', 'a certain attitude' by staff, including racism that went up to the director of housing. Another considered the social worker to be 'prejudiced'. They found that dealing with the authorities was like 'arguing with a brick wall' and in situations of homelessness found that they 'never got accommodation from the Homeless Unit'.

Some local authorities had complex systems for assessment - in one local authority actually called 'the matrix'. This was a screening process, whose prime purpose appeared to be to identify mental illness; drug or alcohol issues; or criminality, normally involving a Garda check. If an issue were found, then the assessment would go no further. It was not known if this process was applied only to Travellers presenting, or to all homeless presenting. For those who passed the assessment, Travellers were 'always way down the list', they said. In one county, the only route for Travellers was to make representations through public representatives, in one case getting a minister to get them accommodation. Their treatment was inconsistent. In the case of a couple in a dilapidated trailer with a child and another due, the official told them that the two would 'never' get accommodation - but then one of his colleagues helped them and they did. Advocacy organizations were not treated any better: 'if we step in, they don't want to hear from us either. We are up against the local authority, homeless services and the courts. Our only allies are the public representatives' - although some had also got help from the Office of the Children's Ombudsman. In some cases, the local authority would simply not engage with them at all. In one local authority - and this was before the Covid 19 virus - people presenting for housing were directed to a phone in the lobby to speak to someone in the office upstairs. It was a very public area and 'everyone could hear your business'.

They had the impression that it was a process designed to screen them out more than consider their needs objectively. Some met with blanket refusals: experiences were recorded of individuals and newly-married couples being told by the local authorities to go and stay with their parents as they would not be considered as homeless. Others were accused of making themselves homeless, or in modern parlance 'gaming the system' because they left sites and declared themselves homeless.

## Story:

A Traveller family homeless with three children under the age of 3½ years old. The parents were sleeping in their car on the side of the street while their children slept either with them in the car or on the floor of their grandparents' kitchen. The father of these children suffered with mental health issues and was on medication. The mother needed to have a medical procedure done but could not, as she has no place to come home to recover. This family had left accommodation because it was unaffordable, so now the council would not class it as homeless.

### 3.2.3 EXPERIENCE IN HOMELESS SERVICES

Like others homeless, Travellers were put into emergency accommodation, which presented its own difficulties. They were, in their view, 'squeezed into tiny spaces'. Where they did get homeless accommodation, there was no facility to wash clothes. One family with two children, one of whom had a genetic condition, was in homeless accommodation for three years where there were curfews, noise was forbidden ('how can you expect children not to make some noise?') and visitors were prohibited. The mother unsurprisingly became depressed. The children were so long out of the Traveller environment that they began to acquire non-Traveller accents from the other children there.

The experience of homelessness was traumatising for children. There were no play areas. Children with ADHD were especially difficult to manage in such situations. Some children moved to foster care in the course of homelessness.

There was an absence of any homeless services in some counties, with unsupported bed-and-breakfast the only possibility. In one county, the only local authority response was two or three nights in B&B.<sup>130</sup> After that, the family was required to make a contribution while expected to search for private rented accommodation. This was very difficult to get, as Traveller surnames were well known in the county. The family concerned was likely to end up returning to an overcrowded site or setting up a new one on the side of the road.

## Story:

One Traveller organization tried to get accommodation for families in two trailers on the side of the road - illegally, but not in anyone's way. They had already been 12 years on the housing list. The Traveller accommodation unit in the local authority referred it to the homeless unit, who would help, so it said. Instead, the homeless unit called the gardaí, who duly evicted them to outside the city. One of the families returned to couch-surf in the parental home, the other to an illegal campsite. The homeless unit appeared to take the view that 'if you have a trailer, you're not homeless'. The same unit was known to offer, in the case of homeless families, accommodation for the mother and her children in the domestic violence refuge and the man to go to the Simon hostel, even though domestic violence had not arisen.

One local authority had no homeless services, nor a dedicated homeless staff officer. A case was cited of four homeless young Traveller men with mental health problems, but there was no psychiatric service for them at all. There was a lack of services for offenders or those in trouble with drug addiction when they were homeless. In one county, hostel services comprised a single hostel, but it was always full and the Traveller accommodation worker had never got a family in there.

Some were unable to get into homeless services at all, the principal example being Irish Travellers who had lived in Britain. Here, the Habitual Residence Condition was used against them and they would be told to 'go back to Britain'. Others were told by the local authorities 'you're not from here' and were turned away. They had to prove that they had a 'local centre of interest' but did not know how to do so. Some local authorities did not operate such a system and it was more a problem for Roma families.

The mother in one homeless family with three children, called for interview, was asked whether her husband was involved in criminal activities, implying currently so involved, to which she said 'no'. Some time later she was told that her application had been 'deferred', or paused on the housing list for two years, because her husband was 'known to the gardai' for minor offences in his teens (he had not been to prison). Obtaining accommodation was

especially difficult for those families where there might have been an episode of Anti-Social Behaviour (ASB): 'if you do something wrong, it's with you for the rest of your life'. There was an impression that local authorities sought to find examples of ASB so as to turn the family down. This even happened when one member of the family - presumably the man - might have been responsible for domestic violence: the family as a whole was turned down for housing.

## Stories:

Woman with three children living in a homeless accommodation for two years. No visitors allowed, so mental health was a big issue. An older couple homeless for whom the only accommodation offered was singles hostels, so the husband went to one hostel and the wife went to another.

### 3.2.4 EXIT FROM HOMELESSNESS

Exiting from homelessness and overcrowding was slow and problematic. There were long waits on the waiting list, up to 16 years, with another case of ten years. One knew a family that had 'never had a home that it could call its own, a child who never had her own bedroom'. There would be severe knock-on effects for the 'lost generation' of Travellers who grew up with no roof over their heads'. Even for those who did get accommodation offers, they could be too small for the family size. One middle-aged couple was put in a house that was already damaged, but inherited the problem.

The mere process of moving up the waiting list had become more challenging because of the Choice Based Letting (CBL) scheme, for which one needed a computer to access and this was impossible without the internet. The CBL system is disliked because of its lack of transparency. Essentially, applicants bid on a house when it comes up, each prospective house being on-line for a week. Unlike the points system, where an applicant had a known number of points and gradually moved up the list accordingly, under CBL there is no way of knowing what criteria are used to then determine who wins the bid or not. A successful bid on-line is followed, in any case, by an interview, so it may not be a win after all. The local authority will know if the bidder is a Traveller in any case, because it allocates a pin number. Travellers believe that there is a practice of informing councillors or prospective allocations - which opens a political window to block the allocation - and a guideline of not more than one Traveller family in one location. Although documented, this is denied by the local authority. To Traveller organizations, bad site conditions in the area mean that Travellers should have a good case on paper for accommodation, but these practices could explain the slow pace of their re-housing.

Many local authorities operated policies of 'two strikes and out': if you turn down two offers of accommodation, you would not get any more. The problem was that quite a number of offers could be completely unreasonable, but the local authority could then say that it had fulfilled its obligations and had no further responsibility to the family concerned who went back to the bottom of the housing list. There was a feeling that the local authority perspective was 'we gave you an offer, we ticked the box'. Sometimes, the offer was made over the phone and it was not always clear whether it was a real offer or a discussion about a possibility of an offer.

Sometimes, offers appeared to be wilfully poor: 'people are being pushed into the poorest quality social housing. The local authority is offering people accommodation that they know will be refused but that in court situations they will be able to say that "these Traveller families were offered accommodation"'. One careless family did turn down an offer because it was miles out in the countryside, far from shops and schools. One Traveller group contested a two-strikes-and-out decision, got a meeting with the local authority and it was agreed that the offer had not been a reasonable one.

With no site space and no local authority accommodation available, Travellers were left with 'nowhere left except private rented', but families were vulnerable there. Families homeless found themselves in private rented accommodation 'because there was nothing else'. They did not want private rented because 'it was away from the people that they knew'. Due to discrimination, it was difficult to enter in any case: one had viewed private rented properties a hundred times. The rules of the Housing Assistance Payment (HAP) were that once in HAP accommodation, the family was taken off the housing list.

There was a case of a family 12 years on the housing list, but the HAP did not work out and the applicant was 'back to square one' at the bottom of the housing list. One family left private rented because it was too expensive: the children went to their grandparents and the parents began living in a car.

There seemed to be a well-established trajectory of families pushed into private rented. If they were unable to get such accommodation, due to discrimination, so they went back to halting sites - either to their parents or they create spaces in communal areas. Homeless services were probably unaware of such an outcome and it may have been invisible to them, so the policy did not change.

## Story:

A family with a trailer was evicted by the council and was offered Housing Assistance Payment outside the city. Rather than take this, the family - including the woman of the family who was pregnant - lived in a car. The family bought a new trailer and managed to find a place for it beside a relative.

These trajectories were graphically illustrated by a Traveller family of a mother and five children sleeping in a car. The local authority had no emergency accommodation and advised her to return to her mother's home (which with her family would have 11 occupants) or get herself a HAP tenancy. The gardai attempted, but were unsuccessful, in trying to obtain accommodation for her.<sup>131</sup> One voluntary organization reported that 'young Traveller families are stuck in overcrowded situations': HAP landlords have multiple applications, which implied that they might not choose Traveller tenants over other potential tenants. According to one voluntary organization working with the homeless, which had experienced an increase in Travellers presenting, Travellers could get to viewings in the private rented sector, but because of family size and discrimination, they got no further.

Voluntary social housing (AHBs) was difficult to get and featured in few of these discussions. Although there was known to be some AHB housing locally, its location was 'a big secret'.

The only way Travellers could try to get it was to hide their identity and pretend not to be Travellers.

Many Travellers no longer applied for Traveller-specific accommodation, which is what they wanted, because they knew that there was so little available or in development. They learned to lower their expectations. A case was given of four young men in homeless accommodation whose case workers told them that they had to go to HAP, or they would stay in emergency accommodation forever. One of them did go to HAP, but was put out a year later and then was sent to another HAP, which was even worse. 'Lowering expectations' was more than that: 'it made you feel that you didn't want to be a Traveller. Your identity doesn't fit into the system'. Travellers were being sent to locations that were harder, rather than easier for them to manage: 'you know that you will be damaged by your experience in private rented and you learn to accept it when it happens'.

## Story:

When the home on a site was burnt down when the family was absent, the council demolished the ruin and blocked off the area. The returning family spent a period in private rented accommodation until the landlord sold. The family attempted to return to its original site, placing a trailer there, but was evicted by the council for lack of a local connection. The case went to law, but the family was unable to obtain representation in court and was again evicted. The family moved the trailer to the side of the road, but was again threatened with eviction. The situation was only resolved when the family got older people's accommodation from the council's housing section.

On the positive side, one local authority was commended for taking Traveller preferences seriously, 'not the this-or-else approach' and felt that all should follow a policy of culturally appropriate affordable accommodation. This was unusual, though, and many local authorities seemed less and less prepared to make the effort to construct Traveller-specific accommodation, 'an insidious development'. At least one local authority seemed to have stopped altogether. Local authorities increasingly argued that Travellers wanted standard

accommodation, but that seemed to be because they had given up on the prospect of Traveller-specific accommodation, indicating standard accommodation as the next best option. Applicants were told that they might get standard accommodation sooner, probably true, thus incentivizing the option. Several counties had no sites anymore - indeed some local authorities had given up on trying to fix sites, the policy being 'move them into a house, hotel, private rented, but don't fix the site'.

### 3.3 ISSUES ARISING

The foregoing raises a number of important issues arising, which are discussed first before conclusions are drawn (3.4). These are site conditions; criminality tests; HAP; family formation; and discrimination (3.3.1-5).

#### 3.3.1 SITE CONDITIONS

First, it is apparent that site conditions are a key element and circumstance in precipitating homelessness, something that marks the Traveller experience as quite different from the general population. Travellers leave sites because of intolerable conditions there and return there from homelessness. Whatever popular impressions about ever smaller numbers of Travellers living there, sites are a key element in this picture. The reports received here about site conditions remain shocking and echo reports that first came to general attention as far back as the 1970s.

What is doubly concerning is that the authorities that are responsible for addressing homelessness seem to be one of the main triggers of the problem. It is understood that local authorities believe that they have a legal obligation to remove unauthorized trailers or developments, but the apparent alacrity with which this duty is fulfilled contrasts with the slower progress in their meeting their responsibilities for providing accommodation. This is not universally the case, for some local authorities will go to considerable length and time to exhaust mediated solutions, normally successfully so. Site problems were compounded by post-Carrickmines safety measures. Rules were set down of minimum spaces between trailers (for example 6m distance), for good reason, but its application led to trailers being towed away when they were too close to their neighbours - precipitating further problems. As one informant said, 'Travellers regularly share accommodation bays with extended family members. Sharing is a form of homelessness. Overcrowding, poor sanitation and serious fire risks also tend to ensue from this process'.

Arising from this, Travellers are often not in a position to challenge such evictions through the law. Few solicitors are known to Travellers, especially those who understand the issues involved in trailer evictions and who could intervene at short notice (generally less than a week's notice of a required appearance in court).

#### 3.3.2 CRIMINALITY TESTS

Second, a related legal issue is the application of criminality tests for Travellers - and others - who apply for housing. There is a body of legislation stating the circumstances in which local authorities may exclude tenants (or any member of the household) under the Housing (miscellaneous provisions) Act, 1997 and the Traveller (accommodation) Act, 1998. The legislation relied upon by the local authority appears to be §14 of the 1997 Act, which permits the local authority to 'refuse or defer' housing if in the previous five years 'the authority considers that the person is or has been engaged in anti-social behaviour or that a letting to that person would not be in the interest of good estate management or the person fails to provide information, including information relating to persons residing or to reside with that person, which is requested by the housing authority and which the authority considers necessary in connection with an application for the letting'. The Dublin City Council application specifically identifies convictions under the Criminal justice (public order) Act, 1994 and contravention of orders under the 1997 Act; the Criminal justice Act, 2006; the Children Act, 2001; and asks for information on squatting; or having been previously evicted (though the use to which this information is put is not stated).

In the area of voluntary housing, the system is slightly different and Approved Housing Bodies (AHBs) are assured that all candidates for interview have already been garda vetted for criminality in the previous six years. AHBs say that a criminal record is not necessarily fatal for an interview (an example was given of 'shoplifting as a child'), but one is left with the impression that in a competition it is hardly an advantage.

The system of deferring or refusing housing applications because an applicant, or a member of the applicant's family had a criminal background, raises very serious questions. First, it appears to be a form of collective punishment, because all members of the family may suffer. It may also be unconstitutional, for it does not take into consideration 'the best interests of the child'.

Second, relevance: there does not appear to be any connection between the nature or seriousness of the offence and the prospective tenancy. Third, the local authority does not seem to demonstrate that it is aware of the Spent convictions Act, 2016, which removed the record of minor offences after seven years (in the case cited here, the offence was many years earlier). Fourth, a general view of what might constitute 'anti-social behaviour' may be applied. Fifth, the term 'fails to provide information... which the authority considers necessary' invites subjective judgement. According to Community Law and Mediation, local authorities must exercise their powers in accordance with 'fair procedures, good administration and proportionality'. Sixth, such tests risk, in this instance, feeding a racist narrative associating Travellers with criminality.

### 3.3.3 HOUSING ASSISTANCE PAYMENT (HAP)

Third, it is evident that the preferred solution of many local authorities is HAP, moreover with Traveller families expected to find this accommodation themselves (what is sometimes ironically called 'self-accommodation'). This preference is emphasized, despite the known levels of racism of the private rented sector; the practical difficulties of Travellers in getting a reference; the difficulty of Travellers to compete with sometimes hundreds of non-Traveller candidates; and despite the knowledge that such accommodation is not considered culturally appropriate. Furthermore, HAP accommodation is insecure, it does not meet rising rents and tenants are removed from the housing list. It is little surprise if the pursuit of inappropriate policies by local authorities, guided by national policy, exacerbates rather than prevents homelessness.

### 3.3.4 FAMILY FORMATION

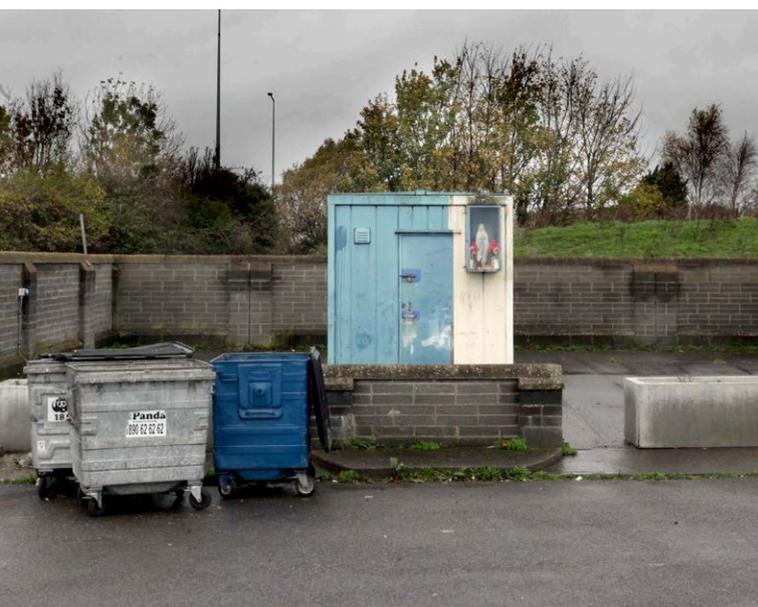
Fourth, it is evident that family formation is a key issue in Traveller homelessness. The Central Statistics Office, in its commentary on the 2016 census, stressed how the structure of the Traveller population was so very different from the general population: 58.1% were under 25 years old, compared to 33.4% generally. There was a 12.3% increase in the number of Traveller households over 2011-2016, with 5.3 people per household, compared to 2.75 for the general population. Traveller families are large - 4.2% with nine or more in households - compared to the general 0.1%. Almost half of Traveller women had five or more children (only 4.2% in the general population). So this is a growing, young community, with high rates of family formation with large families.<sup>132</sup> This key demographic determinant seems to have been given little attention by policy-makers. It has inevitably put more pressure on Traveller accommodation in general and sites in particular. Combined with the rapid decline in accommodation provided since 2008 (>chapter 1), a deterioration in housing conditions and an increase in homelessness was inevitable. The Irish Traveller Movement stated this succinctly:

**Homelessness is now a common experience for many Traveller families, a particularly fast-growing trend across all local authorities. Local government practice and the profile of the Traveller community (considering early marriage and new family formation) would indicate that the situation has reached crisis levels.**<sup>133</sup>

There is little sign, though, that issues of family size and formation are given the attention that they deserve.

### 3.3.5 THE PERSISTENCE OF DISCRIMINATION

Fifth, despite the many reported instances of discrimination, there appeared to be a weary acceptance of its persistence. The Private Residential Tenancies Board (PRTB) was commended for being supportive of difficulties faced by Travellers in private rented accommodation, but the preparedness and capacity of individuals and groups of Travellers to engage with it seemed to be limited. Unfortunately, the most recent PRTB annual report (2019) does not provide any further information on its work in the area of discrimination or with Travellers.



### 3.4 CONCLUSIONS

This qualitative description of Traveller homelessness has painted a picture of rapidly, indeed inevitably, increasing Traveller homelessness; the centrality of site conditions triggering homelessness; and the pressures resulting from family formation. The description has captured the cycle of Traveller homelessness: leaving sites, failed entry into homeless services; sleeping rough or in cars; the splitting of families; unsuccessful return to sites; eviction; the multiple blockages to exit from homelessness. Definable trajectories are well in evidence. In a cliché of social analysis, this is another addition to the ‘revolving door’. Barriers are evident in many places: institutional racism; bureaucratic requirements; landlord racism; lack of support services; steering to unwanted solutions; enforced unwanted alternatives (e.g. standard accommodation, when Traveller specific is desired); the impenetrability of some AHBs; lack of fair procedure (two-strikes-and-out, criminality). In looking for examples of factors that prevent Traveller homelessness, minimize durations in homeless services or poor conditions, speed exit, or provide support, there is little to be found. Professional administrative practice by those entrusted with responding to Traveller homelessness can be found - examples were cited here - but it stands out for its exceptionalism.

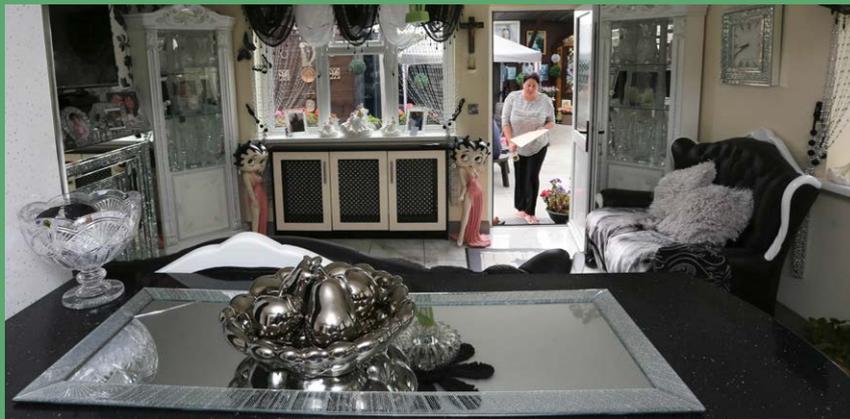
There has been a long and generally unhappy history of the interactions of the Traveller community and local authorities. This research shed fresh light on both positive and negative experiences, from frontline to back-of-office, from social worker relationships to LTACCs. In general, the better experiences could be found where staff working with Travellers had a background in community development. Dublin City Council, for example, had a long tradition in social work and community development. By contrast, experiences might be less positive where staff had a background in housing administration, finding themselves making life-changing decisions under stress for which they were neither knowledgeable nor trained. The reports of the National Traveller Partnership show how much time and energy went into trying to obtain better accommodation outcomes, activity unnecessary if the system functioned more efficiently and sympathetically. This was wasteful, with the state funding a delivery service that does not function well, while simultaneously funding advocacy to undo its problematical decisions.

Some local reports (e.g. north Cork) give us a microcosm of the cycle of Traveller homelessness and indicated their health consequences. Reports from many other locations all over the country confirm its key elements: there is little by way of variation or exception between them. The national picture has a repetitive sameness. In one sense, this is a positive finding, for it provides scope for a consistent national response and this is explored next (chapter 4). One contributor pointed out that there was nothing new here, for she had made a presentation along these lines to the minister responsible as far back as 2014.

Finally, evidence presented here drew attention to more implications for health: lack of water, toilets or refuse collection; the experience of sleeping rough or living in cars, on floors and in shipping containers, with attendant risk of exposure; lack of personal space; rodent infestation; recuperation from surgery in a trailer of eight and procedures postponed because of lack of recovery space.



# 4 ANALYSIS AND DISCUSSION



This chapter discusses some of the key issues arising. These are identified as Traveller homelessness - a visible issue (4.1); measuring Traveller homelessness (4.2); 'the two worlds' - the problem of architecture (4.3); and the issue of a national Traveller agency (4.4). Conclusions are drawn (4.5).

...it is fair to conclude that Traveller homelessness is an insurgent, developing field in the discourse on homelessness and the situations of the Traveller and Roma communities.



#### 4.1 A VISIBLE ISSUE

Chapter 2 showed that Traveller homelessness is now evident in administrative data, documentation, structures, policies and the discourse of housing, homelessness and the situation of the Traveller community, even reaching the level of the Oireachtas. Chapter 3 outlined its qualitative elements: trajectories, cycles, elements, experiences, the processes at work. Its visibility is such as to attract the formal concern of the Council of Europe's Committee of Social Rights, which found that Ireland was in breach of §16 of the European Social Charter.<sup>134</sup>

Proposals have already been put forward to address the issue. According to Pavee Point, 'it is imperative that the specific accommodation needs of Travellers and Roma are considered in overall discussions on housing and homelessness as they have largely been invisible in discussions on the housing crisis generally'.<sup>135</sup> Examining how this can be done, a useful starting point is the National Traveller and Roma Inclusion Strategy (NTRIS) (>chapter 1), whose civil society reports provide important external commentaries and proposals. There, in *Assessing progress in key policy areas of the strategy*, the civil society report drew attention to the homeless crisis and the over-representation of Travellers in the homeless population; overcrowding; sub-standard accommodation; and under-spending of local authority accommodation budgets. It drew attention to the lack of government commitment to address the problem: only one action in *Rebuilding Ireland* (a review of local authority spending); the lack of any housing actions in the Irish NTRIS; the infrequency of meeting and under-resourcing of its steering group; and the lack of a monitoring, evaluation or indicator framework for the strategy.<sup>136</sup>

Pavee Point contributed an analysis of the problem, attributing the level of homelessness among Travellers and Roma to local authority accommodation underspend; evictions on health and safety grounds following the Carrickmines fire which led to fresh homelessness and further health and safety risk; and inability to access private rented accommodation for those who wished to do so.<sup>137</sup> Roma people were also affected by habitual residence conditions (e.g. housing circular 41/2012) which denied them housing and homeless services.<sup>138</sup> Likewise the Irish Traveller Movement (ITM) drew attention to 'the emergence of a crisis in Traveller homelessness', especially due to the excessive and inappropriate use of the private rented sector and inaction on overcrowding.<sup>139</sup> Media coverage has already been cited in the *Dublin Inquirer*.

Taken together, it is fair to conclude that Traveller homelessness is an insurgent, developing field in the discourse on homelessness and the situations of the Traveller and Roma communities. This chapter will investigate some specific issues which should be explored in more detail before conclusions can be presented and recommendations made.

#### 4.2 MEASURING TRAVELLER HOMELESSNESS

Chapter 2 showed that it is possible to triangulate Traveller homelessness through the instruments of the census, local authority estimates, supplemented by local studies. Only by assembling a composite picture can we approach the Europe-wide ETHOS standard.

Compared to the importance of actually providing accommodation, statistical issues might be seen as some to be less than central to the problem of homelessness and the Traveller community, even peripheral, obscure or academic. To the contrary, considerable attention has been given to the importance of there being robust systems to measure Traveller homelessness. The importance of an ethnic identifier (>2.4) has long been recommended by organizations working with Travellers so that services can be planned accordingly.<sup>140</sup> The use of such an identifier could have a key role in informing the five-year plans for Traveller accommodation.<sup>141</sup> The Fundamental Rights Agency has drawn attention to the importance, in the case of relatively small and hard-to-capture groups, of quality administrative data.<sup>142</sup> Traveller statistics in housing must be consistent and transparent.<sup>143</sup>

Definitions matter. Here, the 2019 review group criticized the use of the term 'sharing' as a euphemism for chronic overcrowding: many Traveller families were trapped 'couch surfing', in severely overcrowded houses, or living in trailers in parents' yards and driveways or other unauthorized areas without facilities.<sup>144</sup> Likewise, Pavee Point drew attention to pre-2014 local authority counts which included service bays, shared permanent halting sites and shared basic services or transient halting sites, which if still applied would have given a more comprehensive picture of any over-crowding on sites.<sup>145</sup>

Quite a number of cases have been made for the inclusion of the circumstances of Travellers in the national homeless statistics. The Housing Agency recorded representations proposing the redefinition of homelessness to include more Travellers living away from their parents on the roadside, who, presumably were overlooked.<sup>146</sup>

Pavee Point recommended a revision of the current categories of Traveller accommodation (e.g.) 'sharing houses' and 'unauthorized site' so as to include Travellers in government statistics on homelessness.<sup>147</sup> The study of Traveller homelessness in co Offaly recommended that Travellers be specifically included in the homeless counts of local authorities and the assessments of housing needs.<sup>148</sup>

The cause-and-effect nature of indicators and definitions was illustrated by one informant whose experience was that 'voluntary organizations are good at referring Travellers for help, but don't use an identifier, so they don't see Traveller homelessness as a group experience and don't campaign on the issue'.

In essence, this research is clear that measurements of Traveller housing need must encapsulate the full spectrum of homelessness experienced by the Traveller community; and that homeless statistics and definitions must similarly include the Traveller community. This presents multiple challenges: applying the full range of the ETHOS definition; the use of ethnic identifiers by both statutory and voluntary organizations; and their operational use within the PASS system. The importance of PASS was identified by the DRHE itself, describing it as 'the foundation stone on which everything else stands'.<sup>149</sup>

The use of ethnic identifiers has long been recommended by human rights bodies at home and abroad. They are used by the state's primary information-gathering system, the census, so it is now well established, in principle, at the highest possible level.<sup>150</sup> There is strong support at European level for the application of ethnic identifiers to promote equality of access, participation and outcome.<sup>151</sup> In Ireland, though, there can be resistance to its use at national, agency or local level level.<sup>152</sup> While concerns are sometimes, normally incorrectly, cited about data protection, the authorities often ask questions which are much more invasive, about which questions are not raised. Although the housing application form for Dublin City Council does not use an ethnic identifier as such, the same form does ask for quite intimate personal information (e.g. financial, criminal etc), while other authorities apply police checking (e.g. Cork).<sup>153</sup> Perhaps the most important aspect of this discussion is how it is applied 'at the coalface', so that Travellers themselves, when asked if they wish to so self-identify, feel they can do so confidently; that this information is properly and sensitively held; and applied to protect their rights.

The way in which ethnic data collection and monitoring can and should be applied to the situation of Travellers in Ireland has been outlined in detail, so a solid basis exists for doing so.<sup>154</sup> The collection and use of ethnic data for ethnic equality monitoring within a human rights framework is government policy, with a number of government departments and state agencies

already collecting this information (i.e. census, Department of Education, Health Service Executive, Pobal, Higher Education Authority). United Nations treaty-monitoring bodies, European institutions and equality and human rights bodies within Ireland have continuously urged Ireland to implement ethnic equality monitoring in routine data administrative systems in order to assess human rights violations and to reveal the most deprived and vulnerable population groups and measure inequality and discrimination.<sup>155</sup> The legal basis is outlined in §9 of the General Data Protection Regulation (GDPR) which sets down the principle of voluntary self-identification and in other human rights legislation, which sets down the principles of the universal question, data aggregation and anonymization, use for the purpose collected, timely availability and consultation with organizations representing minority ethnic groups. This requires training and guidelines for data collectors and the building of awareness and capacity about the rationale and importance of such data, particularly amongst Travellers themselves. The collection and publication of such data is important to enable public authorities to demonstrate their meeting the statutory obligations of the positive duty of §42 of the Irish Human Rights and Equality Commission Act, 2014.

Bearing in mind the aphorism 'what is measured is done', the failure or refusal to apply identifiers - and the lack of response to the proposals above - may be a proxy for a lack of preparedness to address the issue concerned. Historically, the CSO would not include homeless people in the census, but the counting systems which it introduced later now provide a solid basis for government responses to homelessness. Now, Traveller homelessness is the contested, frontier data issue, most recently evidenced by the Covid 19 experience (>2.5).<sup>156</sup>

Getting data right is only the start of a process. The European Union has pointed out how policies on Travellers and Roma, 'developed in a data vacuum', can be no more than policy announcements, meaningless without strict timetables, benchmarks, indicators nor impact assessment mechanisms.<sup>157</sup> Up to date information on the changing nature of Traveller homelessness is essential, for example for the five-year plans. One informant characterized them as 'cut-and-paste' exercises from the previous plan. Quality, up-to-date information on Traveller homelessness could transform a static approach into a dynamic one. According to one voluntary organization that contributed to the research, 'the more accurate the information on any group, the more effective the planned responses. Information needs to be seen as part of the inclusive response, recognising the diversity of need in relation to service provision and the provision of housing. Everyone is different, one-size-fits-all approach to services, support and housing never works well for people who are on the margins'.

### 4.3 'TWO WORLDS': THE INSTITUTIONAL ARCHITECTURE

Chapter 1 drew attention to the 'two worlds' problem in which homelessness on the one hand and Travellers (and Roma) on the other are seen conceptually, statistically and administratively as two different worlds, each with its own systems and institutional architecture (see the diagram *Architecture*). Within this problematic, there is a subordinate problem, which is the weak position within both parts of this separate, bifurcated, state-centric architecture of voluntary and community organizations, NGOs and civil society organizations. It has long been evident and axiomatic that the involvement of NGOs at the heart of the institutional architecture is the key to making progress on intractable social issues such as homelessness. Being the organizations with the highest frontline and back office level of knowledge of the problem and with the highest level of commitment to a positive outcome for their respective communities, policies on homelessness and minority ethnic communities are most likely to succeed when NGOs are at their core and are the key drivers.<sup>158</sup> A weak, divided institutional architecture with poor communication flow has serious practical consequences, as the following illustrative examples show:

- There is a poor understanding of Traveller preferences for accommodation. Although Traveller organizations take the view that Travellers prefer 'Traveller-specific' accommodation, most local authorities take the view that their preference is for standard accommodation. Voluntary organizations know that 'preference' is more than ticking a box on a form, but a complex process. They have the on-the-ground knowledge of how at risk housing groups make constant trade-offs of houses, areas or tenures according to changing household composition and the constraints in which they live.<sup>159</sup> Yet such perspectives are rarely heard in the circles which decide on how housing systems are operated.
  - Lack of planning for family formation and size are clearly factors driving the homelessness crisis for the Traveller community. At the same time, the proportion of public housing for larger families gets ever smaller. One local authority projects 89% of social housing allocations for one- or two-bedroom units but only 0.5% for five-bedroom units, the average size of a Traveller household.<sup>160</sup> This suggests that on-the-ground knowledge and experience of Traveller groups is not informing planning.
  - The risk of homelessness for a Traveller on discharge from prison is a real issue. Prisoners obviously cannot wait to get out and prisons are legally obliged to discharge them at the appropriate time, yet they may be discharged with 'nowhere to go'. The prison authorities may provide bed-and-breakfast for up to two nights, but some go directly to homeless services. Although the prison service is a known participant in the homeless fora, the fact that this well-established practice persists suggests that these consultation systems are not effective in resolving problems of even a relatively small scale.
  - One of the most contentious issues around Traveller accommodation is the interaction between Travellers and local authority staff, which can be charged and adversarial. Although there is research on how these issues can be resolved and improved, with examples of good practice from some local authorities (e.g. staff training in tension-reduction, de-escalation, anti-racism, cultural awareness and social inclusion), these are not well known nor disseminated, so bad practice persists (>chapter 3).
  - In health, the most recent meeting of the National Traveller Health Advisory Committee was in 2012, while the HSE Traveller Health Advisory Forum has no routes of communication to its chief officers, the people who take decisions. The deficiencies in the architecture around accommodation are replicated in the state's response to the Covid 19 crisis (<2.5). Travellers were not represented on the NPHET vulnerable groups sub-committee. Uninformed decisions are rarely better than informed decisions.
- Even when faced with the immediacy of homelessness, Travellers and their organizations were quick to identify the institutional dimensions of their situation.<sup>161</sup> The Longford Primary Health Care Project for Travellers stated plainly that there was a lack of trust in the key institution in the county, the county council, with infrequent meetings, lack of consultation, meeting times solely determined by the county council and then cancelled, lack of evaluation, lack of penalties for non-performance, lack of information, no parity of esteem and no independent facilitation. Whilst similar comments have been made before, their importance lies in their identification of the importance of institutional factors and their freshness (2020), indicative of a lack of recent progress.
- A general comment concerns what some consider the sub-optimal quality of discussion in the current institutional structure. There are times when Travellers feel that they have not been respected, while on the other side local authorities which make positive efforts feel they have not been appreciated. Raising front-of-office issues almost always provokes dismissive reactions, with discussions quickly becoming sterile and personalized. It is all the more essential to lift the nature and quality of dialogue, which means that the underlying structural issues must be named, faced and addressed. Four specific problems are identified here: cross-representation; imbalance of membership; transparency; and capacity (4.3.1-4).

### 4.3.1 CROSS-REPRESENTATION

Dealing first with the lack of cross-representation, there seems to be little provision for organizations concerned with homelessness to be present on Traveller structures; nor for Traveller representatives to be present on structures concerned with homelessness. Some exceptions have been identified, for example in case of the regional homeless forum in Cork, but they are unusual.

As one informant said, 'we must at least have a system to report homelessness in the Traveller structures; and the Traveller situation in the homeless structures'. Because of the health consequences for Travellers of lack of accommodation, HSE representation there too was vital. Although it may be argued that local authority officials, who are present on both the homeless fora and the LTACCs, provide cross-representation, this is not the case, for the Traveller sections and homeless sections of the local authorities are compartmentalized, with different personnel in each. It was clear from this research that some officials in the Traveller section did not know the homeless system and were unconnected to it and, for example, were unaware of the operation of the Homeless Action Team. One voluntary organization in the area of homelessness stressed the importance of Traveller representation on all the homeless forums - not just for operational reasons, for but for the relationship building that is essential for effective collaboration on the NGO side.

### 4.3.2 IMBALANCE

Second, the structures are imbalanced (>1.2.3). First, on the Traveller side at national level, only three representatives out of 12 on National Traveller Accommodation Consultative Committee (NTACC) are Travellers. A similar state-centric imbalance is evident locally: for example, the Wicklow LTACC has three Traveller representatives, five councillors and no less than seven officials.<sup>162</sup> On the regional homeless fora, typical composition is for 3-5 voluntary organizations with 16-17 statutory bodies. In the mid-west regional homeless forum, voluntary organizations comprise only four out of 16 members. Each forum has a management group of the local authorities, typically three or four and statutory bodies (e.g. HSE, Tusla, Probation Service) but no NGO members. The secretariat and chairing are normally by the statutory body. In one extreme case, the appointed Traveller representative on the Homeless Action Team was a local authority official.<sup>163</sup> In the case of the Dublin Joint Homelessness Consultative Forum, the designated chairperson is the Assistant Chief Executive of the City Council. Agenda are drawn up by the director and chairperson. Members may submit items for inclusion at least seven days in advance, must be within their terms of reference and their inclusion rests with the chairperson, not the meeting itself. It is important to recognize that membership is

set down at departmental and legislative level, not by the local authorities themselves, so they should not be blamed. Despite the wide range of knowledge, experience and advice among voluntary organizations, preference appears to be given to be statutory some bodies peripheral to the issue.<sup>164</sup> Overall, this form of operation appears to confuse consultation with management, coordination and control. Traveller organizations have been critical too, of how Traveller representation is selected, especially where there is no appropriate organization in the county, with the danger of ineffective and token representation. It was recommended as far back as 2001 that Travellers should determine their own representation independently.<sup>165</sup> By contrast, the consultative group for Traveller Health Units comprises ten HSE and ten Traveller representatives with an independent chair.

As a result, opportunities for issues concerning homelessness to be raised in Traveller fora, or Traveller issues to be raised at homeless fora, are limited. To give a practical example, although the action plan of the western region identified Traveller homelessness as a growing issues, there were no Traveller members therein to discuss it.<sup>166</sup> Most Traveller organizations neither have contact with homeless forums nor are they aware of them. The one set of minutes made available for this research showed that Traveller homeless issues were not raised - but there was no Traveller organizations present to bring them up in the first place. The statutory-heavy nature of the consultative fora means leads to the danger that NGOs have quite a marginal role, not in their view a level playing field with parity of esteem. They felt disempowered in fora that only 'went through through the motions'. Operation of LTACCs has long been controversial. Whereas some work well, elsewhere Travellers have lost confidence in the LTACC process which they find disrespectful.<sup>167</sup> LTACCs have long been considered a problem area and not all are functioning, due either to antagonism or the lack of Traveller organizations to provide representation. The 2017 Housing Agency review highlighted the low level of confidence by Travellers in the consultative process, describing it as 'designed to fail', hostile and lacking in political will.<sup>168</sup> Criticisms focus on the small proportion of Traveller presence on consultative structures; the infrequency of meetings; over-control by their statutory hosts; and the lack of technical assistance to facilitate Traveller participation. Taking just one local study (Wexford), where there was ample evidence of goodwill by officials toward consultation, the county had very few Traveller organizations, only a skeletal system of representation, a lack of technical assistance, low capacity and a lack of informal connections to political decision-making affecting them.<sup>169</sup> Several LTACCs have made efforts to address the problem, especially where relationships have been problematical, leading to improvements. In Dublin, there is an independent chairperson. In Donegal, the chairperson was a Traveller project representative.

Paradoxically, although Traveller organizations have made a compelling critique of the consultative system, the financially much better endowed organizations working with the homeless have said little about the consultative system in their field and have not brought to bear a comparable volume nor quality of analysis, be that at local or national level. An exception is a now-dated Simon Community report which raised questions about the nature of meetings, their capacity and local authority dominance.<sup>170</sup> In summary, homeless NGOs and Traveller organizations are in an extraordinarily weak position in the consultative process around both. It is difficult to avoid the conclusion that poor outcomes for both groups may be a consequence.

### 4.3.3 TRANSPARENCY

The third issue is transparency. The consultative system around Traveller and homeless policy is unpublished. There are no known organigrams. At the apex of the two systems, the NTACC has not published annual reports since 2013. Consultative fora cannot be located unless one knows their host council and even then there is little published information. In Dublin, where the concentration of homelessness may be found, minutes of their deliberations are not generally made externally available, although this may now be under reconsideration. Homeless Action Teams appear to be entirely undocumented. Although operation of LTACCs is problematical, several local authorities do publish their records, arguably the most open part of the structure. An independent analysis of the Irish decision-making structures set in an international perspective said that whatever structures had been put in place - potentially crucial fora for discussion, consensus building, the resolution of disagreement and the sharing of knowledge and information - were effectively disregarded as the homeless crisis increased: 'policy-making moved from being a relatively inclusive process to a closed one'.<sup>171</sup> An Oireachtas commentary has also raised questions about the insufficient accountability of these structures.<sup>172</sup> It is difficult to know whether the closed, hidden, ethereal nature of this world is an outcome of the traditional secretiveness of the Irish public service, or a subliminal indicator of its unimportance.

European example (>chapter 1) has much to tell us that is useful. Almost thirty years ago, the European Observatory on Homelessness spoke of how state responses to homelessness should be 'transparent and accountable'. Public authorities should collect and circulate information on how they meet need. They should consult regularly with voluntary organizations, who are by and large marginalized by the policy process.<sup>173</sup>

### 4.3.4 CAPACITY

An integral part of an improved architecture is the building of the capacity of Traveller organizations to participate, be that in 'Traveller structures' or 'homeless structures'. Although Traveller organizations have, over the years and with very little funding, highlighted the problem of homelessness, there is no Traveller organization uniquely concerned with Traveller homelessness, although there is now one voluntary housing organization (CENA). Examination of §10 funding shows that no Traveller organizations appear to be funded to work in the field of homelessness.<sup>174</sup> There is only a small number of national Traveller organizations and these have limited funding. Although there is a significant number of local Traveller organizations - the most important when accommodation remains a local authority responsibility - most were defunded after 2008.<sup>175</sup> The Wexford study found that the building of organizational capacity at local level was one of the most critical priorities identified by Travellers themselves.<sup>176</sup> Accordingly, a priority must be to build the advocacy capacity of Traveller organizations to participate in the architecture, whatever form it takes. At European level, the Fundamental Rights Agency drew attention to the importance of Travellers and Roma being resourced to use the channels of recourse available to them.<sup>177</sup>

Moving on from indicators and consultation to look at the totality of the two worlds and the negative consequences of dividing homelessness from the housing situation of the Traveller community, it would seem that there are three possibilities:

- **Merger.** The Simon Community some time ago proposed the straight integration of the Homeless Action Plans and the local Traveller Accommodation Programmes. Although this was not spelt out, the logic of this approach was to merge the entire institutional architecture.<sup>178</sup>
- **Cross-representation:** requiring the Traveller structures to pay attention to homelessness and the homelessness structures to pay attention to the Traveller community, while ensuring there is Traveller representation on the homeless structures; and that the homelessness issue is made part of the Traveller structures, from the most senior level to the lowest (e.g. Homeless Action Teams). This would appear to be the option that could be done soonest and most easily;
- **An entirely new structure,** which has already been mooted (>4.5, below). All require resourcing.

#### 4.4 HOUSING ASSOCIATIONS

Evidence that voluntary housing associations, now Approved Housing Bodies (AHBs), are insufficiently developed instruments for addressing Traveller homelessness has already been cited. Only one Traveller organization cited the story of a Traveller family rehoused through a voluntary housing association: a family of a couple and eight children, for which the association provided two adjoining terraced properties and made an interconnecting door between them. The reasons for the low Traveller take-up of voluntary housing association are not evident. It is possible but unlikely that few Travellers indicate an interest in voluntary housing. It is possible that the local authorities send few Traveller candidates to housing associations for interview. There is the possibility that some associations may be reluctant to take Traveller applicants, especially if they fear adverse neighbour reaction; or if their homes are too small for larger Traveller families.

As noted earlier (>2.4), only one of the 520 voluntary housing associations works specifically with Travellers, CENA (>2.4). CENA is now well established, with governance, a qualified board and development officer. Four homes are in the final stages of completion, four under way, four projected and feasibility studies completed in other locations. CENA emphasizes the importance that prospective residents have the opportunity to articulate not only design and construction needs, but those for accommodation and surrounding living space, along with connections to the settled community, proposing Accommodation Liaison Officers as an important element in the process ('informed self-assessment'). So far, though, 'few have ever been given the opportunity to do this before - or even been asked the question. It is a much more time-consuming, iterative and phased process than what has been typically termed 'needs assessment' up to now' - but an essential one. This is a start that invites scaling up.

Allocations to voluntary housing are made by the local authorities. Although historically voluntary housing organizations filled their homes with 'their' clients, nowadays they are obliged to accept all clients sent to them by the local authorities from their waiting lists (also called 'a 100% nominations-based system'). Applicants to housing lists indicate if they would like to be considered for voluntary housing: most do so, for such associations are well regarded for their quality of accommodation, personal care and support services provided. Obviously, local authorities try to marry candidates with the type of voluntary housing association (e.g. elderly applications to an association for older people), so a housing association working with Travellers would be sent Traveller candidates. Generally, a voluntary housing association is sent two candidates or candidate families for each prospective vacancy, interviews both and chooses one. Little information is sent in advance, but the candidates will have already been vetted for criminality. Even if it is known to the local authority, Traveller or ethnic status is not explicitly identified to the voluntary housing association in advance. This system of interviews is not liked by housing applicants, because they have already been interviewed by the local authority as part of their application for housing and then find themselves being interviewed for each individual vacancy that may come up in voluntary housing and face rejection again.

Housing associations are financed through a combination of government support and private funding (banks) and a complex regulatory system has recently been set down by legislation. Establishing a voluntary housing association is a demanding undertaking, but no pre-development or technical assistance is available. The general government view is that since these associations are 'voluntary', it would be inappropriate to provide technical assistance to enable them to develop their work, a perspective that does not take account of their low capacity level, especially in the Traveller community. A different approach was taken by the government in Northern Ireland 75 years ago. When the failure of local councils to fairly provide sufficient public housing became apparent, the government established, under the Housing Act (Northern Ireland) Act, 1945, a public housing association, the Northern Ireland Housing Trust, run along professional lines, as far back as 1945, which subsequently built 48,500 homes. This had the advantage of being able to by-pass the procedures that blocked accommodation in the local authorities, achieve high levels of output, keep rents low and set its own home design requirements.<sup>179</sup>

This example aside, the case for supporting Traveller housing associations is well made. In Great Britain, there are now there are now 70 housing associations for Black and Minority Ethnic (BME) groups, which include Irish Travellers. They were formed from the 1970s because of failure of mainstream social housing to meet the needs of their communities and 'the grim list of problems which they faced in accessing housing'.<sup>180</sup> According to analysts, they subsequently 'played crucial roles in giving minority ethnic participants a voice in housing policy and implementation, provided valued role models within minority communities, exerted influence on many other housing organizations, provided potential comparators for white-run bodies on issues of equal opportunities and lettings to minority households and developed *Housing plus* services going beyond bricks-and-mortar housing management'.<sup>181</sup> They are much smaller than what actual need indicates, suggesting the importance of their being given additional technical and organizational support.<sup>182</sup> It would be ironic if Irish Travellers were better served by housing associations in Britain than in Ireland.

#### 4.5 A NATIONAL TRAVELLER AGENCY

The idea of an independent executive body to meet the housing needs of Travellers has been argued for some time, being formally proposed by the 1995 Task Force on the Travelling Community. The Joint Oireachtas Committee on Housing and Homelessness made a recommendation on these lines as recently as 2016.<sup>183</sup> Here, the focus on its consideration is its potential to bridge the 'homeless world' and the 'Traveller world' and ensure that Traveller homelessness be given adequate consideration. One contributor explained how this was not an academic issue: 'failure to resolve the accommodation issue is destroying lives', with dire consequences for health and education. Pavee Point, for its part, has proposed an overarching body that would not only deal with accommodation, but all policy areas, such as health, education, employment and culture.

The proposal for such a body arises from different considerations. Essentially, the idea relies on two related lines of argumentation: first, that the consolidated record of local authorities in housing the Traveller community has been so poor that they are endemically incapable of ever meeting the challenge; and second, that the field of Traveller accommodation is so contested at local level that it would be effectively addressed only by an external, independent body. The former has been the contention of Traveller organizations and external human rights organizations, while an Oireachtas report found the area impossibly conflicted.<sup>184</sup> The issue of underspend has attracted international attention with the recommended imposition of dissuasive sanctions on local authorities failing to use their funding or the removal of their responsibility and its transfer to a housing commission.<sup>185</sup>

The most recent contribution to this discussion is that of the expert review (2019).<sup>186</sup> This determined the 1998 Act a failure, specifically evidenced by the level of Traveller homelessness, the increase in sharing, poor delivery and the failure of programmes to acknowledge the needs and preferences of Travellers themselves. The report recommended that Local Traveller Accommodation Consultative Committees (LTACCs) be replaced by Strategic Policy Committees (SPCs) for Traveller accommodation and that the National Traveller Accommodation Consultative Committee be expanded, strengthened and converted into a National Traveller Accommodation Authority; accompanied by an ethnic identifier to track progress in the meeting of Traveller housing need. An implementation plan is currently in preparation to be overseen by officials, with one Traveller representative present.

There already exists, on this island, the example of housing responsibility being taken away from local authorities because they had abused, misused or failed to exercise their powers. This took place in Northern Ireland after the Cameron report, less well known by its official title *Disturbances in Northern Ireland*.<sup>187</sup> There, discrimination was combined with a severe housing shortage, overcrowding and unfit

dwelling and homelessness.<sup>188</sup> Cameron was very clear in adjudging housing discrimination 'to have a substantial foundation in fact'; to be a genuine cause of deeply-held grievance; that a remedy should be a major step to addressing that grievance; and that discrimination must be ended. Accordingly, the Northern Ireland Housing Executive (NIHE), was established in October 1972 to take housing powers away from the 60 (now 11) local councils. The legislation was relatively short, essentially an instrument for the transfer of functions to the new body.<sup>189</sup> Although the situations of Travellers in this jurisdiction in 2020 and the Catholic community in Northern Ireland in 1969 are different in terms of scale and historical circumstances, the similarities in terms of accommodation, homelessness, distrust and discrimination are strikingly similar. Although contested at the time by the unionist political community, the decision swiftly succeeded in its primary purpose of ensuring fairness of allocations and there has been no intent since then to return such powers to the local authorities. NIHE would appear to have a much more sophisticated understanding of Traveller accommodation preferences than is the case in this jurisdiction.<sup>190</sup>

Although the idea of a body along the lines of the NIHE has been discussed at the NTACC, it is understood that there is strong opposition to the idea. Opposition arises from the taking away of powers from the local authorities, which is resisted by both managers and councillors; that consensus on Traveller accommodation must still be achieved at local level; that organizationally one cannot simply lift Traveller accommodation out of the larger structures of housing provision; and that coordination with other parts of the local authority structures would be lost. There is dislike of what might be seen as a 'centralized, top-down approach'. Such arguments, though, miss the key test of whether such a change would improve the situation for the Traveller community - arguably the only test that matters - for they appear to give greater weight to the convenience of the local authorities.

#### 4.6 CONCLUSIONS

Although much of the discussion of Traveller accommodation issues has focussed on the pace of on-the-ground progress in accommodation, issues of structures, reporting, monitoring, identifiers and architecture are key: 'institutions matter'. In the view of the Fundamental Rights Agency, it is so important in this field to have strong, multilevel institutions.<sup>191</sup> An emphasis on reporting, monitoring, structures architecture, institutions, conceptualization, civil society, capacity, identifiers and policy-making is not merely legitimate, but central to unlocking the problem. Compared to the actual cost of Traveller accommodation - even granted that so much of it has been unspent - the financial costs in doing so would be small. They would involve, though, a rebalancing of institutional and power relationships, changes in representation, transparency in systems and processes, the application of administrative data (e.g. PASS), accountability and the re-conceptualization of problems.



# 5 WAYS FORWARD



This research established clearly that Traveller homelessness is a significant, important part of both the Traveller experience and that of the homeless experience in Ireland today. Thirty years ago, the European Observatory on Homelessness pointed to the importance of identifying target groups for policy purposes.<sup>192</sup> Homeless Travellers are just such a target group, which means that their situation and problematic deserves dedicated attention. It is evident that this is a community in pain and distress, which means that this must be given not only dedicated, but urgent attention. This chapter comes to conclusions (5.1) and suggests ways forward (5.2).

A photograph of a dilapidated structure, possibly a building or a large container, with graffiti on its walls. The graffiti includes the word "KEY" on the left and "JOHN" on the right. The structure is made of dark, possibly metal, panels. In the foreground, there is a complex, rusted metal frame structure. The ground is concrete and appears to be a construction or demolition site. There are some plants and debris scattered around. The overall scene suggests a state of neglect and abandonment.

Traveller homelessness has been a function of family formation and the larger size of families, elements which appear to be little recognized at policy level and for which not much planning has been done.

## 5.1 CONCLUSIONS

The principal conclusions of this research, set in a national and European context, were that:

- There is a distinct, serious, visible problem of Traveller homelessness. Using the European ETHOS definition of homelessness, this encompasses Travellers sleeping rough or in cars; those in emergency accommodation; those in institutions with nowhere to subsequently go (e.g. prison); those in overcrowded or inadequately serviced sites; those living in overcrowded conditions; and those in insecure, culturally inappropriate accommodation. For such a small population, Travellers are greatly over-represented in the general homeless population;
- Using the census and administrative data, it was possible to come to an overlapping, composite, triangulated picture of Traveller homelessness. The most severe form of homelessness was sleeping rough or in cars and in emergency accommodation, including refuges, along with living in the most egregious site conditions. The most common form of homelessness was overcrowding (39%). All homelessness had severe, negative consequences and risks for physical and mental health and for the education of children; and creates tension and conflict on sites.
- Traveller homelessness has been a function of family formation and the larger size of families, elements which appear to be little recognized at policy level and for which not much planning has been done. Deteriorating site conditions have been a major trigger of homelessness. Evictions by some local authorities have contributed to the problem. A revolving door syndrome is very much in evidence, with Travellers leaving sites because of poor conditions, but later returning there after exhausting attempts to find alternate accommodation. The general decline of the public housing programme since 1987 and failure to deliver Traveller accommodation programmes from 2008 have blocked, for many, the possibility of exit from homelessness;
- Traveller homelessness is an inevitable consequence of the general reduction of local authority accommodation since 1987 and the collapse of funding from 2008 which especially affected the Traveller community, exacerbated by local authority underspending. It is hard to avoid the conclusion that the crisis today is the legacy of underinvestment compounded by disinvestment.
- Accounts of homelessness from the national, local and micro levels are remarkably consistent, showing a relative uniformity of experience. Accounts by Travellers themselves of their experiences of entering homelessness, presenting for services and attempted exit from homelessness tell of a community in social distress. The consequences of homelessness on physical and mental health were apparent;
- Specific problems identified by Travellers have included the negative consequences of criminality tests, difficulties in accessing voluntary social housing, involuntary 'self-accommodation' in culturally inappropriate settings (private rented) and fresh barriers that make accessing accommodation ever more difficult (e.g. form HPL1, Choice Based Letting). The application of some of these barriers is of doubtful legality, but there is little possibility of making a legal challenge to decisions taken against them;
- State responses to Traveller homelessness present great problems for a resolution of these difficulties. The failure to undertake ethnic equality monitoring and capture ethnicity data through the application of an ethnic identifier, especially in the Dublin area where homelessness is concentrated, mean that Traveller homelessness was difficult to identify and even invisible. Addressing Traveller homelessness was doubly difficult because the systems for policy-making and the delivery of services have separate, bifurcated administrative structures: one for Travellers, another one for homelessness, so that the two issues appear to be not only separate, but unrelated. Moreover, this institutional architecture is poorly known, little visible, state-centric and untransparent. Parts have fallen into disuse or become sclerotic. Although NGO sectors can drive more enlightened policies and practices, structures are statutory-heavy and offer an even playing field neither for Traveller nor homeless organizations. Their operation appears to confuse consultation with management, coordination and control. Poor information flow has distinct, itemized negative policy consequences in poor understanding of key issues;
- Priorities for consideration are robust systems to measure Traveller homelessness, with the efficient, sensitive application of ethnic identifiers by statutory and voluntary organizations; appropriate statistical reports; cross-representation and transparency in the institutional architecture; providing funding and building the capacity of Traveller organizations to participate therein; and the development of voluntary social housing organizations providing accommodation for Travellers. Two examples were cited from Northern Ireland which in their time successfully tackled two of the most endemic problems studied here, poor accommodation supply and discrimination: the Northern Ireland Housing Trust (NIHT) and the Housing Executive (NIHE). This jurisdiction may be more than half a century behind in considering such approaches, which date to 1945 and 1969 respectively.

## 5.2 WAYS FORWARD

First, it is necessary that there should be an objective, independent, analytical annual national report on the extent, nature and causes of Traveller homelessness and the measures taken to reduce and eventually eliminate the problem. It must address the long term homelessness and cyclical nature of Traveller homelessness, hidden homelessness, health implications, overcrowding, inappropriate housing, site conditions and environmental and safety audits. This requires an organizational and financial commitment by the Department of Housing, Local Government and Heritage, one that will involve the key administrative and statistical stakeholders and the NGO community (Traveller and homelessness) with an even playing field. There should be a documented annual conference of all the stakeholders to consider, debate and progress its findings, improve information flow and build a community of good practice. An important part of the process is the early application of an ethnic identifier across PASS and in other instruments for the collection and use of administrative data (e.g. SLAs). Data must be gender disaggregated.<sup>193</sup> A specific function of the report must be the examination of the spending of allocated budgets.

Second, it is essential to make progress on the over-arching issue of Traveller accommodation. This issue has topped the list of the interaction between Traveller organizations and the state for many years and it is not intended to repeat what has already been said. The case remains for more fundamental reforms of the type outlined above (>4.4, 4.5). Accordingly, it is recommended that Pavee Point draw up a Bill, modelled on the Northern Ireland legislation, for a national agency for accommodation and the other purposes which it has already outlined, its presentation to be accompanied by a programme of conference events to promote a wide-ranging, objective debate on its merits, following which it should be introduced in the Oireachtas, intended for completion in its current lifetime (2025).

In the meantime, it is important that existing policies take proper account of Traveller homelessness. Following meaningful consultation with Traveller organizations, the Department of Housing, Local Government and Heritage must direct the local authorities to ensure that Traveller homelessness be a priority strand in the next round of Homeless Action Plans, due 2021-2022, but for whom preparations should already be underway. Specifically, Traveller accommodation should be a new strand in the *Housing First* programme. Similarly, in the area of Traveller Accommodation Programmes, homelessness should be a priority element of the sixth five-year plan. Although not due until 2024, now would be time to promote preliminary thinking as to how this can be done.

Third, it is necessary for the Department of Housing, Local Government and Heritage to reform the institutional architecture with the immediate purpose of ensuring that Traveller homelessness can be considered across its streams, but with the wider purpose of transparency, accountability, an even playing field and improved information flow. In the first instance, there must be cross-representation of Traveller organizations on those structures concerned with homelessness; and organizations working with the homeless present in those structures concerned with the Traveller community. Second, it is important to re-activate sclerotic structures, such as the National Homelessness Consultative Forum and those in health. Third, it is important that these structures be

transparent, their existence and membership made known, organigrams published, their deliberations and documentation posted. They must have the right to present their own advice and reports. Fourth, their state-centric membership must be rebalanced so as to reach an even playing field, with parity of esteem for the NGO community. The existing command-and-control rules should be replaced with more open systems with an independent or rotating chair. Technical assistance and funding must be provided to facilitate the participation of Traveller organizations and individuals. In the meantime, pending the introduction of these reforms by the department, it would be useful for Pavee Point to publish a guide to these structures, membership and contact details, with an organigram, using the Freedom of Information Act if necessary to obtain the information concerned.

Fourth, related to this, it is necessary to build the capacity of Traveller organizations to work with Travellers who are homeless and to contribute to the policy-making, operational and delivery process in a reformed architecture. Whilst there is some capacity at present (e.g. Traveller Health Units, National Traveller Partnership, HSE funds, accommodation workers), it was greatly reduced in the period from 2008 and there are counties with no Traveller organization at all. It is important that capacity be developed both generally to ensure participation in the architecture and specifically in the form of Traveller accommodation support workers, caseworkers and the prevention of homelessness. Local authorities (and in Dublin the DRHE) should encourage and support applications for funding under §10 of the Housing Act, 1988 and provide technical assistance both to facilitate the application itself and to meet the subsequent governance requirements. Such funding should include specific funding for Traveller homelessness outreach and accommodation workers. Primary healthcare workers for Travellers are a known, successful model, which could be replicated in the area of accommodation support. There is scope for funding Traveller liaison officers to work for (non-Traveller) voluntary organizations who have Traveller clients or service users. Granted the importance of legal-related issues (e.g. discrimination, housing application processes, the challenging of evictions), the building of the legal capacity of Traveller organizations and the law

centres with whom they work is important, a priority matter for the Department of Justice and Equality if it is to ensure that Ireland is compliant with its national and international human rights law obligations. It is important to remember that under §42 of the Irish Human Rights and Equality Act, 2014, all public authorities have a legal obligation to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans. Related it is important to build the capacity of the local authorities in the area of Traveller accommodation and homelessness, especially in the areas of anti-racism, discrimination, cultural training, front-office relationships and knowledge and understanding of homelessness issues.

The fifth and final area concerns the general interaction between the Traveller community and the local authority in the area of accommodation. Although already well-covered ground, this research provided some fresh insights into aspects which require attention. These are:

- The role of site evictions in triggering homelessness. Whilst lawful, or even required of the local authorities by law, some local authorities move to evict with remarkable speed. Here it is important there be a direction from the department insisting on (1) the prior and full exhaustion of mediation and fair legal procedure (2) there is accommodation to which those removed may go (3) compliance with international law. Evictions must be halted for the duration of the Covid outbreak;
- The drive to push Travellers involuntarily into the private rented sector is contrary to the National Traveller and Roma Inclusion Strategy (NTRIS) principle of 'culturally appropriate' accommodation. Leaving aside other considerations (discrimination, local resident objections, loss of place on the housing list, insecurity of tenure), it is not culturally appropriate and this should be so named. Clearly, if a Traveller family prefers or opts for a HAP placement, that is a different matter. The department should issue a direction ending involuntary allocation thereto.

- Two particular practices operated by the Department of Social Protection were identified as problematical: the requirement that two trailers on one site be considered as one for purposes of reduction of social welfare payment and to avoid recognition of unlawful parking; and the requirement of the HPL1 form, which is unlikely to be relevant except in a small number of cases. The department should present sensible alternatives for discussion.
- Criminality tests: it is important that the department issue a direction to local authorities to familiarize themselves with the Spent convictions Act; check their actions or potential actions for lawfulness and human rights compliance; and review their systems for proportionality. The application of criminality tests may be unlawful and - as a form of collective punishment with harmful consequences for children - possibly unconstitutional. At present, there is a review of the Criminal justice (spent convictions and certain disclosures) Act 2016 and the Criminal justice (rehabilitative periods) Bill 2018, with recommendations made for their reform by the Irish Human Rights and Equality Commission.<sup>194</sup>
- An independent investigation of the transparency and fairness of Choice-Based-Letting (CBL) and the two-strikes-and-out policy for Traveller applicants, with their replacement by just, fair and accountable administrative procedures.
- Training for local authorities and homeless services on the §42 public sector duty, anti-racism, cultural awareness and specific needs of Travellers experiencing homelessness.



# ENDNOTES



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