



Pavee Point

Position Paper on Violence against Women

December 2011

“[I]n the area of violence against women ... issues of race and gender intersect. For most women, their sense of dignity comes from not only being a woman but from also being members of a larger community whether it be racial, indigenous, ethnic, religious or by descent. Therefore women are often in an ambivalent position. They want to fight for justice and equality within their community, while ensuring that their community as a whole is respected among the peoples of the world. Their struggle is often made worse by the arrogant gaze, where outsiders...fight their cause with what is seen as contempt for their culture and their community.”

Radhika Coomaraswamy, UN Special Rapporteur on violence against women¹

¹ Former *UN Special Rapporteur on violence against women World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, Durban, South Africa 31 August – 7 September 2001.

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Introduction

Violence against women: a health and human rights issue

Violence against women is a serious health issue. The threat and use of physical and verbal force, sexual abuse, coercion and control can result in long lasting health problems, and in some cases proves fatal. Violence against women is also a serious violation of a woman's fundamental human rights and freedoms. Whilst domestic and sexual violence also affects men, the majority of abuse is perpetrated by men against women.

Women from every ethnic, cultural and social background can and do experience violence. There is no evidence that gender based violence is more prevalent in minority ethnic groups. However although all women who are abused will have similar experiences and encounter similar problems, minority ethnic women including Travellers face the structural inequalities of discrimination and resultant poverty, factors which place them at higher risk and limit the choices they have when trying to get out of a situation of abuse. Traveller women face a number of specific issues and barriers when seeking support and looking to leave a violent relationship. Pavee Point recognises the specific experiences of Traveller women who are subject to abuse and is committed to ensure that Traveller women's right to be free from violence is realised.

This position paper sets out the current analysis and position of Pavee Point in relation to violence against women based on our experience, direct work and research on the issue over the past 16 years. It contains an overview of the issues and barriers that Traveller women face when seeking support to deal with a violent relationship and a series of recommendations to address these issues. This paper is being launched as part of the 2011 16 Days of Action Opposing Violence against Women and Traveller Pride Week. We would like to acknowledge the contribution of Fiona McGaughey to an earlier draft of this paper.

About Pavee Point

Pavee Point is a voluntary, or non-governmental, organisation committed to the attainment of human rights for Irish Travellers. The group is comprised of Travellers and members of the majority population working together in partnership to address the needs of Travellers as a minority group experiencing exclusion and marginalisation.

The aim of Pavee Point is to contribute to improvement in the quality of life and living circumstances of Irish Travellers, through working for social justice, solidarity, socio-economic development and human rights. The work of Pavee Point is based on two key premises:

- Real improvement in Travellers' living circumstances and social situation requires the active involvement of Travellers themselves.

- Non-Travellers have a responsibility to address the various processes which serve to exclude Travellers from participating as equals in society.

About Pavee Point's Violence against Women Programme

Pavee Point's Violence against Women (VAW) Programme, funded by the HSE, aims to 'develop a Traveller analysis of violence against women that will inform the development of culturally appropriate responses for Traveller women and will influence government policy.' As part of this work, the VAW Programme works to increase awareness and support the Traveller community to address the issue of gender based violence and delivers training to service providers, supporting the development of good practice. Pavee Point is represented on the National Steering Committee on Violence against Women, the Eastern Regional Advisory Committee and Public Awareness Steering Committee for the implementation of the National Strategy on Domestic, Sexual and Gender-based violence; and on the National Women's Council of Ireland. The VAW programme also collaborates with other minority ethnic groups to challenge the misconceptions associated with violence against minority ethnic women and has co-produced information booklets for services on appropriate responses.²

More recently with funding from Cosc the VAW Programme has developed good practice guidelines and a training DVD for Traveller representative organisations and service providers. The DVD aims to further understanding of domestic and sexual violence as gender-based crimes and increase awareness of support and protection measures available for women; to highlight barriers experienced by Traveller women and to provide key recommendations for ways forward and good practice. During the process of making the DVD, a series of interviews and workshops were held with Traveller women and men and issues raised in these discussions inform, in part, the content of this paper.

² Pavee Point (2009) *Challenging the Misconceptions of Violence against Minority Ethnic Women, including Travellers, in Ireland* Available at: <http://www.paveepoint.ie/pdf/MinorityEthnicWomen05.pdf>

Violence against Women

What is violence against women?

Article 1 of the UN Declaration on the Elimination of Violence Against Women defines violence against women as:

“any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”³

The 1997 Report of the Task Force on Domestic Violence defines domestic violence as:

‘the use of physical or emotional force, or threat of physical force, including sexual violence, in close adult relationships. This includes violence perpetrated by spouse, partner, daughter or any other person who is a close blood relation to the victim’⁴

Women’s Aid, in their report ‘Making the Links’ defines domestic abuse as including physical, mental and sexual violence and further:

‘being made to have sex without giving consent, mental cruelty, isolation from family and friends, deprivation of family income or car, prevented from taking up employment, or attending education or training, deliberate damage to pets, clothes, property or other personal items’⁵

Violence against women includes the physical, emotional and sexual perpetrated by intimate partners or family members. It includes the abuse, including the sexual abuse, of female children and older people. Violence against women also occurs within the community levels and state levels, including sexual abuse and rape, sexual harassment and assault in work setting and educational institutions. Other forms of gender-based violence include trafficking, sexual exploitation, female genital mutilation and child marriage.

There is a need to recognise and address the level of domestic abuse and sexual violence against and men. However the majority of violence is perpetrated by men against women. The most common form of gender-based violence, including amongst minority ethnic groups, is domestic or intimate partner violence⁶ which involves a pattern of abusive behaviour with women usually experiencing multiple forms of abuse. Financial or economic abuse has more recently being recognised as forms of domestic abuse perpetrated by abusers particularly in

³ United Nations Declaration on the Elimination of Violence against Women, 1993

⁴ *Report of the Task Force on Domestic Violence 1997*

⁵ Kelleher and Associates and O’Connor, M., (1995) *Making the Links*, Women’s Aid

⁶ Women’s Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

lower social-economic groups.⁷ Being forced to watch pornography is also being increasingly highlighted by gender-based violence services as a form of sexual abuse.

The impact of abuse on the health of a woman and her children can be devastating and long term, resulting in permanent injury and disability and long term psychological problems including acute anxiety, depression, and self-harm.⁸ Effects of violence can also be fatal. Abuse can have a serious impact on a woman's reproductive health, resulting in the transmission of sexually transmitted diseases, complications during pregnancy, miscarriages and ongoing gynecological problems. Pregnancy can be a particular time of risk for women, in that the abuse may start or escalate further when a woman is pregnant.

Substance misuse is one of the effects of domestic violence, with women turning to prescription drugs, alcohol and illegal substances as a way to try to cope with abuse.⁹ Drugs and alcohol are also linked to domestic and sexual violence within the context of the perpetrator coercing the woman to start or use. Recent research carried out on alcohol and drug misuse within the Traveller community has found that of the Traveller women interviewed who were using heroin, the most common reason given for starting was pressure from their husband or partner.¹⁰ Substance use is also linked to domestic abuse with increased levels and use of physical violence by the abuser¹¹ and within the context of the perpetrator refusing or controlling access to substances.

Domestic and sexual violence are often hidden crimes, with women reluctant to disclose and report for a variety of factors. It is estimated that 1 in five women who have been in a relationship¹² have been abused yet only 1 in ten reports. Recently published statistics from the Rape Crisis Network Ireland found that only 30% of survivors, who approached the rape crisis centres for support, reported the sexual violence to the police.¹³

Gender inequality is at the root of violence against women. Violence is one of the key mechanisms that men use to control women and maintain power. The UN Declaration on the Elimination of Violence Against Women states that violence against women is:

⁷ Kearns, N et al, (2008) *Domestic Violence in Ireland: An Overview of National Strategic Policy and Relevant International Literature on Prevention and Intervention Initiatives in Service Provision*

⁸ See Kearns, N et al, (2008) *Domestic Violence in Ireland: An Overview of National Strategic Policy and Relevant International Literature on Prevention and Intervention Initiatives in Service Provision* and Watson, D. & Parsons, S., (2005) *Domestic Abuse of Women and Men in Ireland: report of the National Study of Domestic Abuse*, National Crime Council

⁹ The Stella Project (2003) *Separate Issues Shared Solutions: Exploring positive ways of working with domestic violence and substance misuse*

¹⁰ Pavee Point (2011) *Pavee Pathways: Good Practice Guidelines for Drug and Alcohol Services Working with Travellers*, Available at: <http://pavee.ie/drugs/>

¹¹ The Stella Project (2003) *Separate Issues Shared Solutions: Exploring positive ways of working with domestic violence and substance misuse*

¹² Women's Aid *Annual Statistics Report 2010*

¹³ Rape Crisis Network Ireland *National Rape Crisis Statistics and Annual Report 2010*

“a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men”.

Therefore approaches to addressing violence against women must be framed within the context of working to address gender inequality as well as direct programming for prevention and protection. Gender-based violence is an issue that needs to be addressed by all, with men challenging men’s violence against women. Traveller women are subjected to the dual discrimination on the basis of both gender and ethnicity and it is the intersection of these structural inequalities that work to place Traveller, and other minority ethnic women, at further risk of domestic abuse and sexual violence.¹⁴

Freedom from Violence as a Woman’s Human Right

Violence against women is now widely recognised as an international human rights issue. Whilst the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) does not explicitly prohibit violence against women, General Recommendation 19 of the CEDAW Committee states that discrimination under the Convention includes gender-based violence and that ‘gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence’.¹⁵ State parties are obliged to take all necessary measures to prevent gender-based violence and protect its victims, including adequate and appropriate legislative and service provision; the compilation of statistics and research into the extent, causes and impact of gender-based violence and strategies to promote and ensure gender equality.

Further relevant human rights instruments include the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights; and the Convention on the Rights of the Child and European Convention on Human Rights. The UN Declaration on Violence against Women calls upon states to develop preventative and protection measures, including measures of a legal, political, administrative and cultural nature that will work towards an elimination of violence against women.¹⁶ In 1993 the UN appointed a Special Rapporteur on violence against women in recognition of the widespread prevalence and extent of gender-based violence as a human rights abuse and global issue.

¹⁴ Fay, R., (1999) ‘Pavee Beoirs – Breaking the Silence: Racism and Violence against Women’ in *Violence against Women – An Issue for Community Work*, Community Workers Co-Operative

¹⁵ Committee of the Convention on the Elimination of all Forms of Discrimination Against Women, General Recommendation No 19

¹⁶ UN Declaration on the Elimination of Violence Against Women, Article 4

The Beijing Declaration and Platform for Action which was adopted at the UN's Fourth World Conference on Women in 1995, recognises gender inequality and gender-based violence as human rights violations; identifies that women from marginalized groups are particularly vulnerable to violence, including indigenous women and women belonging to minority groups; and requires states to adopt measures directed towards the elimination of violence against women who are at particular risk and the advancement of women's rights.¹⁷

The Council of Europe has recently opened a convention on preventing and combating violence against women for signing.¹⁸ The convention clearly links eliminating violence against women and achieving gender equality, stating that the realisation of equality between women and men in law and in fact, is a key element in the prevention of violence against women.¹⁹ The convention is a legally binding instrument for European members and includes obligations on prevention, protection and support measures. The Convention also establishes an international mechanism to monitor its implementation at the national level. The convention opened for signing in May 2011 but Ireland has yet to sign.

Violence against women is often perpetrated by an individual and often within the realm of private relationships. However as the violence is now widely recognised as a human rights abuse and as a manifestation of gender inequality, states are responsible not only to hold perpetrators accountable and to ensure sufficient support and protection measures are available for victims; states are also accountable to prevent gender based violence by working to challenge and change society's attitudes and the structures which underpin and promote gender inequality.

Context

Legislative and Policy Context

Legislative provision includes the Domestic Violence Act, 1996²⁰ which makes for the granting of safety, barring, interim and protection orders by district courts and sets categories (spouses, parents and cohabitants with certain eligibility criteria) and grounds for application. The Act also makes a breach of these court orders a criminal offence and provides for powers of arrest without a warrant. As amended by the Civil Law (Miscellaneous Provisions) Act 2011,²¹ the Domestic Violence Act now accords protections to include unmarried opposite-sex couples and same-sex couples who have not registered a civil partnership; and to a parent against the other parent of their child, even though they do not live, or have never lived, together.

¹⁷ United Nations Beijing Declaration and Platform for Action 1995

¹⁸ Council of Europe Convention on preventing and combating violence against women and domestic violence

¹⁹ Council of Europe Convention on preventing and combating violence against women and domestic violence, Preamble

²⁰ Domestic Violence Act, 1996

²¹ Civil Law (Miscellaneous Provisions Act), 2011

The effectiveness of current legislation and the criminal and civil justice system to prevent investigate and protect women against domestic abuse and sexual violence has been seriously challenged by research commissioned by Women's Aid²² and Amnesty International²³. These reports highlight inconsistent responses from the Gardai, long delays in accessing court orders and inadequate enforcement, the adversarial nature of the court system and low conviction and imprisonment rates. These issues affect all women. However for Traveller women, and other marginalised groups, these issues are compounded by factors including poverty, educational disadvantage and lack of accessible information, fear of the legal system and distrust of authorities.

In terms of policy development, the *1997 Report of the Task Force on Violence against Women* was an important milestone.²⁴ The report called for the development of a national strategy based on two fundamental principles:

- a total acceptance that violence against women is wrong, it is a criminal offence and there is neither an acceptable nor tolerable level of violence
- neither society nor the judicial system should ever regard violence inflicted on a woman by a man she knows as less serious than violence inflicted by a stranger.

The *Task Force Report* recognised the specific needs of Travelers and other vulnerable groups stating that a key element of any future national strategy should take 'the needs of women from marginalised groups into account at all times in the implementation of all policy and practice'. The report identifies specific actions to order to meet those needs including training around non-discriminatory practices and training for women from marginalised groups to deliver culturally appropriate services within their own communities.

A previous task force report, *Report of the Task Force on the Travelling Community 1995*²⁵ recognised the particular issues facing Traveller women and called for dedicated resources for culturally appropriate responses and cultural awareness training.

The *National Strategy on Domestic, Sexual and Gender-based Violence 2010-2014*²⁶ sets out current state policy. The National Strategy's vision is that by the end of 2014, there will be

²² Kelleher, P. & O'Connor, M., (1999) *Safety and Sanctions: Domestic Violence and the Enforcement of Law in Ireland*

²³ Amnesty International *Justice and Accountability: Stop Violence Against Women, Summary Report*
Available at: http://www.womensaid.ie/download/pdf/justice_and_accountability.pdf

²⁴ *Report of the Task Force on Violence against Women 1997*, Available at:
<http://www.justice.ie/en/JELR/dvreport.pdf/Files/dvreport.pdf>

²⁵ *Report of the Task Force on the Travelling Community 1995*, Available at:
<http://www.lenus.ie/hse/handle/10147/45449>

- Clearer societal acknowledgment of the unacceptability of domestic, sexual and gender-based violence
- Greater recognition and a broader understanding of domestic, sexual and gender-based violence
- Greater confidence in high-quality and consistent services;
- Increased safety for victims
- Increased accountability of the perpetrator
- Structured and improved planning and monitoring to ensure continued effectiveness.

The stated strategy adopts a multi-agency approach and includes a range of commitments to be achieved by government departments and their agencies and in collaboration with the work of non-governmental organisations. Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence established under the Department of Justice and Equality, has key responsibility for the co-ordination of the strategy.

The National Strategy states that a number of international studies have found that minority ethnic women and women living in poverty are at higher risk for violence of all types, particularly for severe and life-threatening violence. It recognises that barriers to talking about domestic and sexual violence present disproportionately among women in the Traveller community and that belonging to a community where members experience certain barriers in relation to the wider community means that women, in order to cope, are strongly dependent on informal and mutual support from other women.

In the introduction to the National Strategy, there is recognition that domestic and sexual violence may be perpetrated against those with particular needs such as older people, young people, members of ethnic minorities, people with disabilities and members of the Traveller community. It then states that “to ensure a consistent approach to all victims” a mainstream approach is used in the strategy, but that the implementation of actions will consider the specific needs of particular groups. The only activity in the strategy which specifically mentions Travellers is as follows:

6.4 Identify and promote suitable State service responses in relation to domestic and sexual violence for vulnerable or high-risk groups (including Travellers, people with a disability, older people, migrants, and young people).

Stated actions in relation to Travellers were specified in the *1997 Task Force Report*. They were also specified in the *National Traveller Health Strategy*.²⁷ However these are not reflected in the current National Strategy. Therefore it is important that the specific needs of Travellers are

²⁶ National Strategy on Domestic, Sexual and Gender-based Violence 2010-2014, Accessible at www.cosc.ie

²⁷ Traveller Health A National Strategy 2002-2005, Accessible at: http://www.dohc.ie/publications/traveller_health_a_national_strategy_2002_2005.html

taken into account in the accompanying implementation plan. In relation to the Strategy's proposed mainstream approach, this can sometimes be misrepresented as one model of service delivery. However mainstreaming or equality proofing means:

'ensuring that policies and processes are inclusive of the needs of minority ethnic groups, including consideration of these needs in the planning, implementation and review of policies and practices for their impact on minority ethnic groups. Mainstreaming does not mean that there is one 'mainstream' model of service provision of the 'one size fits all' kind, rather than the awareness of different needs and thus different models of service provision becomes central to an organisation's modus operandi'.²⁸

The European Commission describes gender mainstreaming as "the integration of the gender perspective into every stage of policy processes – design, implementation, monitoring and evaluation – with a view to promoting equality between women and men. It means assessing how policies impact on the life and position of both women and men – and taking responsibility to re-address them if necessary."²⁹ Therefore mainstreaming does not just happen, it requires a means of assessing how policies impact and taking account of the needs of various groups.

The *HSE Policy on Domestic, Sexual and Gender based Violence* aims 'to implement an integrated and co-ordinated health section response to domestic and sexual abuse' with a focus on early prevention and intervention and is intended to 'dovetail' into the national strategy.³⁰ The HSE policy recognises that minority ethnic women are at increased risk and face a number of barriers when accessing services; and the need to ensure that principles of best practice to ensure intercultural competent approach to meeting the needs of those affected by gender-based violence are implemented.

The *Intercultural Health Strategy 2007-2012*³¹ also acknowledges the vulnerability of minority ethnic groups to social exclusion and poverty and the risk that this poses to health and well-being. The strategy promotes an intercultural approach to the planning and delivery of services and in particular, recognised the need for culturally appropriate community led initiatives to meet the needs of minority groups. However there are no specific recommendations concerning minority ethnic women and gender-based violence.

²⁸ NCCRI (2007) *Improving Government Services to Minority Ethnic Groups: Useful Terminology for Service Providers*. Available at: www.nccri.ie .

²⁹ <http://ec.europa.eu/social/main.jsp?catId=421&langId=en>

³⁰ *HSE Policy on Domestic, Sexual and Gender Based Violence* Available at:

<http://www.hse.ie/eng/services/Publications/services/Children/HSE%20Policy%20on%20Domestic,%20Sexual%20and%20Gender%20Based%20Violence.pdf>

³¹ *National Intercultural Health Strategy 2007*, Available at:

http://www.hse.ie/eng/services/Publications/services/SocialInclusion/National_Intercultural_Health_Strategy_2007_-_2012.pdf

The government has recently launched its *National Action Plan for Implementation of UN Security Council Resolution 1325*.³² This plan sets out Ireland's commitments to prevention and protection measures for women and girls affected by conflict, which includes commitments in terms of Ireland's humanitarian, development and peacekeeping work overseas; but also includes the states duty of care to migrant women affected by conflict who have come to live in Ireland, and commits the state to engage with appropriate Northern Ireland authorities to encourage development of policies and measures consistent with the aims of UNSCR 1325 in consultation with civil society organisations for women affected by the conflict in the North.

About Travellers

Travellers are an indigenous minority ethnic group. Travellers have a long shared history with a distinct language, culture, and traditions documented as being part of Irish society for centuries. Travellers are an ethnic group in that they regard themselves, and are regarded by others, to be a distinct community with values, customs and lifestyles as well as their own language, Cant, Gammon or Shelta.³³ The All Ireland Travellers Health Study found that there are 36,224 Travellers living in the Republic of Ireland at the time of the census³⁴ representing just less than one per cent of the Irish population.

Nomadism was a central part of Traveller culture. However the introduction of the Housing (Miscellaneous) Provisions Act 2002 effectively criminalised the nomadic way of life. The majority of Travellers now live in a house (73%) with only 18% living in a trailer or mobile home.³⁵ Traveller communities are organised around close-knit family relationships and Travellers value early marriage and large families. There is the expectation that marriage is for life, although more recently there has been an increase in divorce and single parenting. Religion continues to play an important part many of Travellers lives. However, as with all minority ethnic groups, Travellers are not homogenous and there is cultural diversity within the community, as well as diversity on the basis of sexual orientation, disability, age etc.

Travellers in Ireland have experienced discrimination for generations, and for many it is still a daily experience. In a recent study on Travellers and racism it was found that just over 60% of people surveyed would not welcome a Traveller into their family; nearly 80% would be reluctant to buy a house next door to a Traveller and over 18% would deny a Traveller citizenship.³⁶ This

³² Ireland's National Action Plan for Implementation of UNSCR 1325

³³ Pavee Point (1992) D.T.E.D.G File, Available at: http://www.paveepoint.ie/pav_culture_a.html

³⁴ Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

³⁵ Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

³⁶ McGreil, M. (2010) *Emancipation of the Travelling People*, National University of Ireland, Maynooth

level of individual and institutional racism has resulted in high levels of poverty and social exclusion³⁷

Travellers have a much lower health status than non-Travellers, with significantly lower life expectancies and higher infant mortality rates.³⁸ Travellers die on average 15 years before their settled counterparts, and females 11 years earlier.³⁹ Infant mortality in Travellers is 3.6 times higher than in the majority population.

Travellers also experience poor educational outcomes, resulting in difficulties with reading and writing. Early school leaving has been a particular issue for Traveller children, although there have been some improvements in recent years. According to the 2006 Census, 53% of Traveller over the age of 15 years had only primary level education or no formal education.⁴⁰

Travellers were traditionally craftspeople, horse traders, tinsmiths and seasonal workers, economic activities which facilitated their nomadic way of life. These skills are no longer relevant to a modern society and Travellers experience high levels of unemployment. According to the 2006 Census of the population only 14% of Travellers aged 15 years and over were described as 'at work', compared with 53% of the general population aged 15 years and over.

About Traveller Women

Traveller women continue to play an important role in their immediate family and the wider community. They usually have responsibility for the home, family and children and frequently struggle to survive on low incomes. However Traveller women also often take on leadership roles, acting as spokespeople and mediators with services. Traveller women have shown great strength in the face of poverty, disadvantage and social isolation and pervasive discrimination. Pavee Point research into attitudes to relationship and sex education has identified that Traveller parents are generally strict and protective of daughters who are not expected to 'date' boys or to engage in sex outside of marriage.⁴¹ Young women are expected to marry, often at the age of 18, to move to their husband's site to be with his family and to have children.

'With Travellers, even before you get married, a single girl is not supposed to go anywhere on her own until she gets married. She can't go the pictures on her own, she can't go to a disco, she's not supposed to go to a pub and then you get married'

³⁷ *Report of the Task Force on the Travelling Community 1995*, Available at: <http://www.lenus.ie/hse/handle/10147/45449>

³⁸ Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

³⁹ Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

⁴⁰ Department of Education and Science (2005) Survey on Traveller Education Provision. Available at: http://www.education.ie/servlet/blobServlet/DES_INSP_Travellers_foreword_te.htm

⁴¹ Pavee Point *Travellers' Attitudes to Sexual Relationships and Sex Education* (publication pending)

As in the majority population, patriarchy and traditional gender roles still exist within the community. However there are changes and Travellers are continuing to work to challenge attitudes and bring about gender equality. Gender inequality within, and outside, the Traveller community and the prevalence of the high level of discrimination as detailed above, mean that Traveller women face three-fold discrimination – as Travellers, as women and specifically as Traveller women. Women are at particular risk of racism, as it has been found that many Traveller women are more easily identifiable than Traveller men, and are therefore more likely to experience discrimination.⁴²

'Traveller men think they're the boss, and that's it, quite simply. They just think they're the boss and that's it and you're not supposed to answer...Now another thing. Traveller men are very protective of their women...'

This 'fusion' of racism and sexism has been previously highlighted as key determinants of the status of Traveller women in Irish society and as factors that can hugely affect Traveller women when choosing to disclose and seek help on domestic abuse.⁴³ Whilst it is imperative to view violence against women within the context of the unequal gender relations between men and women, and how this oppression is perpetuated through state institutions; it is also essential to understand the intersectionality of racism and sexism, and the social and cultural context for the Traveller community in order to understand the complexity of the issues facing Traveller women.

For the context of this paper, we are addressing domestic and sexual violence within the private realm, as located within intimate relationships and the family home, and the wider Traveller community perpetrated primarily by Traveller men against Traveller women. However violence against Traveller women also includes personal attacks and abuse perpetrated by members of the settled community; being refused access to a shop or hotel; organised intimidation and being forced to move from a site or housing estate. Violence is also perpetrated by the state, through a denial of basic living standards fundamental to health for example, and Traveller women and their children are the most affected. The *Report of the Task Force on the Travelling Community* stated that 'Traveller women also experience coercion and violence from 'Settled' people and their institutions in many areas of their lives'.⁴⁴ Violence also occurs internally within the Traveller community, against women and men which has undermined the solidarity of the community and reinforced negative stereotypes that violence is endemic to Traveller culture.⁴⁵

⁴² National Consultative Committee on Racism and Interculturalism (NCCRI), Available at: <http://www.nccri.ie/traveller.html>

⁴³ Fay, R. 'Pavee Beoirs: Breaking the Silence: Racism and Violence Against Women' in Community Workers Co-operative (1999) *'Violence against Women – An Issue for Community Work'*

⁴⁴ *Report of the Task Force on the Travelling Community 1995*, Available at: <http://www.lenus.ie/hse/handle/10147/45449>

⁴⁵ Fay, R. 'Pavee Beoirs: Breaking the Silence: Racism and Violence Against Women' in Community Workers Co-operative (1999) *'Violence against Women – An Issue for Community Work'*

Domestic and Sexual Violence against Traveller Women

Research

There have been several studies which have considered Travellers in the context of violence against women.

Pavee Point research *Traveller Women and Male Domestic Violence: Developing a Culturally Appropriate Response*⁴⁶ carried out a series of focus group and in-depth interviews and its research report informed Pavee Point's *Shadow Report on the Convention on the Elimination of All Forms of Discrimination Against Women*.⁴⁷ This research examined how ethnic and gender relations intersect to affect Traveller women's experiences of violence and affect their help seeking behaviours and options for protection. Barriers including lower levels of literacy, lack of access to a phone and mistrust of legal services and the Gardai were identified. It emerged that Traveller women were often reluctant to disclose, partly due to the fear of fueling negative stereotyping of Traveller men as violent:

"Traveller men are seen and have been presented in certain ways, for example they are all criminals, they lack sensitivity, they are all violent, they are misogynistic and that all Traveller men beat their wives."

Traveller women linked the increasing marginalisation of men, particularly as a result of the demise of the Traveller economy, with violence against women - 'they want power, they can't cope'. Key recommendations included the collation of data in relation to minority ethnic groups in the criminal justice system and equality mainstreaming within service provision.

Research carried out by Tullamore Travellers Movement *Research on Domestic Violence and Traveller Women*, in 2007 found that Traveller women were 'shocked' to discover that emotional abuse and rape within a marriage constituted domestic abuse and were more likely to seek assistance from a priest when dealing with a violent relationship.

Research carried out by Exchange House Travellers Services *Domestic Violence: Developing a Response*⁴⁸ identified difficulties with enforcing barring orders, particularly on halting sites, the lack of alternative accommodation options and Traveller women's financial dependency on men, as key factors affecting their options in seeking support and protection. Exchange House's

⁴⁶ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

⁴⁷ Pavee Point (2005) *Shadow Report Ireland's Combined Fourth and Fifth Reports under the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)* Available at: <http://www.paveepoint.ie/submissions/CEDAWShadowReport2004.pdf>

⁴⁸ Exchange House (2007) *Domestic Violence: Developing a Response*, Available on: www.exchangehouse.ie

*Project on Domestic Violence with Traveller Men*⁴⁹ highlighted the importance of involving Traveller men in the prevention of domestic violence and the role of community led, culturally appropriate initiatives; the employment of Traveller women in mainstream services.

The 1995 report of a survey by Women's Aid, *Making the Links*⁵⁰ highlights the effects of violence on women living in poverty, and in particular Traveller woman. The report suggests that extended family networks and the link between family and income may result in pressure on Traveller women to maintain marriages despite violence. Whilst this can be a risk for all women, it can be a greater deterrent if a woman's community and family network is the main source of support in a society in which she may experience forms of discrimination such as racism.⁵¹ The report also refers to the fact that one of the main concerns raised by community members in the Garda-commissioned *Ionann* report was poor service for Traveller women:

"For instance, a member [of the Gardaí] might be called to a domestic violence incident but then start checking people's car insurance. 'The woman then gets the wrath of the community as well.' Women Travellers were marginalised and it was assumed [by the Gardaí] that domestic violence was part of their culture."⁵²

The National Crime Council's *Report of the National Study of Domestic Abuse 2003*⁵³ included both quantitative and qualitative research involving Travellers. Research with Travellers for this study was carried out by Pavee Point. The report found that a perception amongst Traveller and migrant women that rape within a marriage did not constitute a serious criminal offence. The research highlighted the fact that economic control by Traveller men puts Traveller women at increased risk of experiencing domestic abuse and that the concern that Gardai would fail to act was a factor in the reluctance to disclose. The report also highlighted the need for greater awareness amongst Traveller women of the availability of helplines and support services and the need for anti-racism and cultural awareness training for service providers and the Gardai.

Amnesty International 2005 report *Justice and Accountability: Stop Violence Against Women* also deals with the situation of Travellers. It notes that Traveller women face many additional barriers in escaping from or overcoming violence and that as their abuser is generally a member of their own community, they risk ostracisation within their community if they seek to get away from or take legal action against their abuser. Key recommendations included the collation of data on the prevalence, forms, risk factors and causes of violence against women within marginalised groups; and the development of recording systems within the justice system

⁴⁹ Exchange House (2007) *Project on Domestic Violence with Traveller Men* Available on: www.exchangehouse.ie

⁵⁰ Kelleher and Associates and O'Connor, M., (1995) *Making the Links*, Women's Aid

⁵¹ Kelleher Associates & O'Connor (1995) *Making the Links*, Women's Aid

⁵² An Garda Síochána Human Rights Audit (2004) A report from Ionann Management Consultants, An Garda Síochána, Available at: <http://www.garda.ie/Documents/User/garda%20human%20rights%20audit%20appendices.pdf>

⁵³ Watson, D. & Parsons, S., (2005) *Domestic Abuse of Women and Men in Ireland: report of the National Study of Domestic Abuse*, National Crime Council, Available at: http://www.esri.ie/pdf/BKMNEXT056_Domestic%20Abuse.pdf

Research by the Women's Health Council *Translating Pain into Action: A Study of Gender Based Violence and Minority Ethnic Women in Ireland*⁵⁴, which included Travellers, was the first major study to deal comprehensively with violence against minority ethnic women in Ireland. Research with Travellers for this project was carried out by Pavee Point. One of the most significant findings from the research is that minority ethnic women, including Traveller women, are at an increased risk of violence, because of the cumulative effects of discrimination, poverty and social isolation. It explores the intersection of racism and sexism and how it makes it more difficult to seek help and leave a violent relationship. It highlights research that found socio-economic factors, including poverty, are the most significant variable in understanding risk, and poverty is inextricably intertwined with minority ethnic groups; and that when socio-economic factors are excluded from the equation, differential rates of intimate partner abuse largely disappear.

The report found that shame and stigma associated with domestic violence in the community and mistrust of service providers, including GP, social workers and other service providers prevented disclosure. In particular the fear social workers and other service providers would take their children into care was a barrier to Traveller women seeking help in dealing with an abuse relationship. Traveller interviewees also spoke of the negative perception within their community of contacting the Gardai regarding domestic violence, the perception among the Gardai they did contact that domestic violence is part of Traveller culture and that their intervention was not appropriate or helpful. The report called for interculturally competent responses within the context of the national strategy, mainstream and specialized services and the criminal justice system, to the needs of all women who have experienced gender-based violence.

Traveller Women & Domestic and Sexual Violence

The following is based on the research as detailed above and the work of the Pavee Point on the issues, including training workshops, focus groups and interviews with Traveller women and men.

Women from every ethnic, cultural and social background can and do experience violence. There is no evidence that gender based violence is more prevalent in minority ethnic groups. However, although all women who are abused will have similar experiences and encounter similar problems, these problems are further compounded by the marginalisation of Traveller women. Discrimination, and the resultant poverty, social isolation and disadvantage are structural inequalities faced by Traveller and other minority ethnic women, which compounds their difficulties in seeking help, support, protection and long term options when dealing with a

⁵⁴ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

violent relationship. Traveller women living in rural communities can be even more vulnerable because of increased levels of social isolation.

The World Health Organisation has adopted the ecological model which views interpersonal violence as the outcome of the interaction between many factors operating at four levels– the individual, family, community and society.⁵⁵ An Irish research study has confirmed the value of this model in understanding the experiences and needs of minority ethnic women regarding gender based violence.⁵⁶

Poverty

Travellers face multiple disadvantage and are more likely to be unemployed, have low income and depend on social welfare payment. Traveller women are often financially dependent on their spouse/partner and this dependency can make it very difficult to leave a violent relationship.⁵⁷ Many Traveller women would not have access to money, a car and in some cases, their own mobile phone, factors which prove as considerable obstacles to accessing services. Limited access to financial resources is a factor for many women. However as the economic base in the Traveller community is linked to extended family networks, there is further pressure on Traveller women to keep the family together, pressure which may force a woman to stay within a violent relationship.⁵⁸

The Habitual Residence Condition is proving to be a serious obstacle for Traveller women seeking to flee a violent relationship and get safety and support. The HRC is a restriction placed on certain social welfare benefits whereby assessment of an application must be considered with regard to a number of circumstances, including the applicants 'length and continuity of residence in the State...and the length and purpose of any absence from the State'⁵⁹ Until 2009, people who were from, or had lived in, the Common Travel Area⁶⁰ (CTA) prior to seeking social assistance in the Republic of Ireland were treated as having automatically met the HRC. However new operational guidelines revised the policy and removed this presumption. This policy change has had a disproportionate effect and indirectly discriminates on Travellers, who live a nomadic lifestyle and continue to move between Ireland and the United Kingdom,⁶¹

⁵⁵ Available at: www.who.int/violenceprevention/approach/ecology/en/index.html

⁵⁶ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

⁵⁷ Kelleher and Associates and O'Connor, M., (1995) *Making the Links*, Women's Aid

⁵⁸ Fay, R. 'Pavee Beoirs: Breaking the Silence: Racism and Violence Against Women' in Community Workers Co-operative (1999) *'Violence against Women – An Issue for Community Work'*

⁵⁹ Section 30 of the Social Welfare and Pensions Act, 2007.

⁶⁰ The Common Travel Area includes Ireland and the UK (including Northern Ireland, the Channel Islands and the Isle of Man).

⁶¹ See Pavee Point (2011) *Position Paper Impact of Habitual Residence Condition (HRC) on Travellers and Roma*, Available at: <http://paveepoint.ie/2011/08/position-paper-on-the-habitual-residence-condition/>

Donegal Travellers Project and the Women's Health Council Report⁶² have highlighted the impact that the application of the HRC and the lengthy appeal process is having on particularly Traveller and minority ethnic women who are being subjected to domestic violence. They may feel pressured to stay in an abusive relationship when they have no access to alternative means of income. Furthermore, in order to access refuge services, women must satisfy the HRC if they cannot afford to pay for it.

Attitudes

Previously domestic abuse was considered 'taboo' by the community, with Traveller women affected often reluctant to disclose to family members and seek support from services in part because of the high levels of shame and stigma associated. As with the majority population in Ireland on a global level, there continues to be a high level of tolerance of violence against women. Travellers have and continue to work to challenge and change attitudes within their community, including the silence associated with domestic and sexual violence, and to address the issues and support those affected

As with the settled community and other minority ethnic groups, there is an increased recognition of emotional abuse and financial control as forms of domestic abuse; and the recognition of the insidious impact that emotional violence has on self-esteem, confidence and coping skills of a woman who is being subjected to abuse.

"There's two kinds. There's domestic violence and then there's the torment. It doesn't have to be physical. You can be called names and treated like dirt. That's worse than getting a beating. Other things can be mental torture."

Our Geels Health Study⁶³ has detailed the physical and psychological impact of the cumulative effects of discrimination, poverty and disadvantage. Domestic abuse further impacts on the health and well-being of Traveller women and their children.

Anecdotally there is also increased recognition that sexual assault and rape within a marriage or a relationship constitute domestic abuse and are serious criminal offences. However Traveller women are still very reluctant to talk about and report rape and sexual abuse that takes place both within and outside intimate partner relationships. Although younger women may be more open to disclosing to each other, sexual violence is still very much considered 'taboo' within the community.

⁶² Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

⁶³ Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

Overall there is a growing awareness of domestic and sexual violence as gender-based crimes and as a means for the Traveller man to gain control and maintain power.⁶⁴ However there needs to be increased awareness of gender-based violence, and in particular, sexual abuse

Disclosure

Domestic and sexual violence are often hidden crimes and much goes unreported. This is true for the majority settled population, as well as for the Traveller community. Women's Aid has found that a lot of women that are affected by domestic abuse or sexual violence will disclose to a friend or family member.⁶⁵ Traveller women wouldn't commonly have a 'best friend' to confide and seek support. Most Traveller women are close to their mother and sisters and rely on them for support.⁶⁶

The extended family and close community relations provide a support network for Travellers and relatives and community members have supported Traveller women affected by domestic violence. However conversely, the family network and close-knit community can militate against a woman disclosing.⁶⁷ Extended families tend to live together and a woman may fear that disclosing to a family member may backfire and endanger her or family members and may also risk further conflict between families. There is also strong sense of the privacy of the domestic sphere within the Traveller community and members are concerned to 'keep their business to themselves'.⁶⁸

Younger women are often more open with each other, and Traveller women will also confide to a priest or nun. However Travellers report that levels of embarrassment, shame and stigma associated with domestic and sexual violence within the community continue to silence women and prevent them from seeking help. Traveller women fear bringing shame and 'scandal' on their family and that it may jeopardise relations between families.

They also fear that that reporting abuse will further stigmatise their community. The negative stereotyping of Traveller men, and Traveller culture, as endemically violent has been perpetuated by media reports. Travellers are impacted by the 'burden of this myth' that violence is inherent in Traveller culture. This 'burden' greatly impacts on Traveller women who are being subjected to domestic abuse. Traveller women fear that disclosing will result in a reinforcement

⁶⁴ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

⁶⁵ Kelleher and Associates and O'Connor, M., (1995) *Making the Links*, Women's Aid

⁶⁶ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

⁶⁷ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

⁶⁸ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

of negative prejudices and discrimination and so women will often choose to protect her community against further racist stereotyping by remaining silent about her own experiences.⁶⁹

'You'd have to be careful...that they'd (the media) see its not our fault that women are getting ...beatings....You'd have to put it in a way that you're not putting all the problems down into one. Because you know, there's some Traveller (women) and their husbands think the world of them and they'd do anything for them, you know? There's an awful lot of them...but there (are) some poor women that (are) tortured'

Discrimination, actual and feared, is a major barrier for Traveller women seeking protection. It has resulted in a reluctance to disclose and seek support from services, including the Gardai and mainstream health and social work services. Although Traveller women do report positive experiences, there is a concern within the community that seeking the protection of the Gardai will not receive an adequate response, particularly if there is no evidence of physical abuse. Traveller women also fear that reporting will also result in discriminatory attitudes and treatment,⁷⁰ including particular harsh treatment of their husbands. Furthermore they fear a negative reaction from their own, because of the level of distrust of the Gardai that still exists within the Traveller community.⁷¹

Some of them (Traveller women) don't want to go to the guards because they feel embarrassed going down to the police station and they think that the guards are making a laugh of them.....For the Travelling people the guards wouldn't listen to them.

Our Geels Health Study showed a high level of mistrust of mainstream health services amongst the Traveller community. In the Study the level of complete trust by Travellers in health professionals was only 41% as compared with a trust level of 82% by the general population. Over 40% of Travellers had a concern that they were not always treated with respect and dignity. Over 50% of Travellers had concerns about the quality of care they had received when they engaged with services⁷²

This level of mistrust has implications for Traveller women subjected to domestic abuse as many women would confide domestic abuse to a GP or a mainstream health service. Traveller women are often reluctant to disclose to their GP, due to a perceived threat of the GP reporting the disclosure to the Gardai. Some Traveller women also have reported that they have been

⁶⁹ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

⁷⁰ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

⁷¹ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

⁷² Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

forced to attend a male GP; because of restrictions on the medical card list and that some GPs have refused to accept Travellers.

Travellers interviewed for the Women's Health Council's report stated that they might have disclosed to a GP if the GP had asked directly⁷³. GPs and other services need to be aware of this. Travellers also fear that disclosing and seeking support from social workers and service providers will result in their children being taken into care. The National Crime Council Report in 2005 identified that disproportionate numbers of Traveller children were being taken into care.⁷⁴

Overall disclosing experience of domestic and sexual violence to a settled person can be difficult for some Travellers as they feel there is a lack of understanding of Traveller culture and that the settled worker could be prejudicial against them.⁷⁵ However, some Traveller women have also said that they feel more comfortable talking to a member of the settled community, as they would have concerns with regard to confidentiality. Good practice would be to have an option, where feasible. In working with minority ethnic groups, outreach and peer support would play a valuable role in ensuring equality of access and outcomes.

Seeking Safety and Support

Studies have included quantitative research on the use of services by Traveller women. The National Crime Council's report⁷⁶ found that Traveller women accounted for 49% of admissions to refuges in 2003. The Women's Health Council report found that 15% of service users were Travellers in 2009⁷⁷ but represented 0.5% of the total population of women according to the 2006 Census. However the Census data is considered to be an underestimate of the true Traveller population by Pavee Point and this is borne out by the recently published All Ireland Traveller Health Study which found that there were 36,224 Travellers living in the Republic of Ireland in 2008⁷⁸.

⁷³ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

⁷⁴ Watson, D. & Parsons, S., (2005) *Domestic Abuse of Women and Men in Ireland: report of the National Study of Domestic Abuse*, National Crime Council, Available at: http://www.esri.ie/pdf/BKMNEXT056_Domestic%20Abuse.pdf P 160

⁷⁵ Watson, D. & Parsons, S., (2005) *Domestic Abuse of Women and Men in Ireland: report of the National Study of Domestic Abuse*, National Crime Council, Available at: http://www.esri.ie/pdf/BKMNEXT056_Domestic%20Abuse.pdf

⁷⁶ Watson, D. & Parsons, S., (2005) *Domestic Abuse of Women and Men in Ireland: report of the National Study of Domestic Abuse*, National Crime Council, Available at: http://www.esri.ie/pdf/BKMNEXT056_Domestic%20Abuse.pdf

⁷⁷ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

⁷⁸ Kelleher, C et al. (2010) *Our Geels All Ireland Traveller Health Study*, University College Dublin, Available at: <http://paveepoint.ie/travellers-and-issues/traveller-health/our-geels-health-study/>

Statistics used without a proper analysis of the social and cultural context and contributory factors can lead to a reinforcement of negative stereotypes. Following publication of the Women's Health Council report, a newspaper headline read 'Traveller women 30 times more likely to suffer domestic violence'.⁷⁹ The extent of Traveller women use of refuges has contributed to a misconception that gender-based violence is more prevalent in Traveller culture. There are a number of factors accounting for the use of refuges by Traveller women, including a lack of access to alternatives.

Educational disadvantage and lower levels of literacy, has resulted in a lack of awareness of existing helpline and support services⁸⁰, support which can be crucial for a woman affected by domestic abuse. In a recent workshop delivered by Pavee Point VAW Programme to Traveller women, the majority stated that they had never heard of Women's Aid. Lack of awareness of alternative supports services available is one factor accounting for the level of refuge usage. Traveller women also have more limited options for alternative respite than non-Travellers in terms of seeking safety by staying with other family members. Limited space particularly on halting sites, and the wish not to involve other families and endanger close-knit community relations in what is considered private family business, reduce a Traveller woman's options in seeking safety. Fear that social workers and project workers may take their children into care is also a factor for short stays in refuges, as children would not have been attending school during these periods.

The temporary use of refuges for respite is also to facilitate 'cooling', a tactic used by a Traveller woman, which involves allowing the man to 'cool down' in the hope that in doing reduces the possibility of violent behaviour. The 'cooling' strategy has also been used to facilitate the taking of the pledge, whereby the man pledges to abstain from alcohol.

'I'd leave for a month to see would I give him a cool down till he thought...We say a 'cool', 'give him a quick cool now', 'let him cool down, go away' but sure when you'd come back he'd be ten times worse.

Barriers to accessing services still remain. Services, including domestic and sexual violence services, are working to ensure their provision is inclusive of the needs and culture of Travellers and other minority ethnic women. National and local support and refuge services are linking in with Traveller organisations in order to develop inclusive policies and practice. However barriers remain. Further efforts are needed for services to become fully culturally competent⁸¹

⁷⁹ Kitty Holland, 24th February 2009, The Irish Times

⁸⁰ Watson, D. & Parsons, S., (2005) *Domestic Abuse of Women and Men in Ireland: report of the National Study of Domestic Abuse*, National Crime Council, Available at:http://www.esri.ie/pdf/BKMNEXT056_Domestic%20Abuse.pdf

⁸¹ Women's Health Council (2009) *Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland* Accessible at: http://www.womensaid.ie/download/pdf/whc_gender_based_violence.pdf

A number of key steps need to be taken in order that services become fully inclusive of Traveller women. These steps include providing a Traveller friendly environment, involving Traveller service users and representatives in the planning and development of provision; equality proofing policies and procedures and the provision of anti-racism and cultural awareness training. Pavee Point has published good practice guidelines for services working with Traveller women on domestic abuse. These guidelines are available on request and will soon be available to download from Pavee Point's website.⁸² Direct discriminatory practices and policies in the past have excluded Traveller women, and this has led to fear of further discrimination and reluctance to engage. A level of misinformation of previous policies still exists (e.g. that refugees won't permit a male child over the age of 14 to stay).

'If I went to one(a refuge) now, I'm just putting myself in, but if I went to one and there was all settled women there, I would feel out of place, different...it's everything...how would I put it, just that you're born with it. You live it, you feel different all the time, now. And you're made feel different'

Legal Protection

The failure of the legal system to adequately protect women who are being subjected to domestic abuse has been detailed.⁸³ Lower levels of literacy, lack of accessible information and distrust and particular fear of the legal system are further barriers for Traveller women. Enforcement of barring or safety orders can also be problematic, particularly on site as the perpetrator may remain on site but move to another bay.⁸⁴

An issue which has been highlighted by the Donegal Travellers Project is the adverse impact of the Hague Convention⁸⁵, an international instrument which aims to prevent child abduction and trafficking, is having on women trying to flee a violent relationship with her children. Particularly in the border counties, women who are looking to find safety with services or families across the international border cannot leave with their children without violating the terms of the Hague Convention.

⁸² Pavee Point (2011) Good Practise Guidelines For Services Working With Traveller Women Experiencing Domestic Abuse: Available from Pavee Point

⁸³ Kelleher, P. & O'Connor, M., (1999) *Safety and Sanctions: Domestic Violence and the Enforcement of Law in Ireland*

⁸⁴ Exchange House (2007) *Domestic Violence: Developing a Response*, Accessible at: www.exchangehouse.ie

⁸⁵ Convention on the Civil Aspects of International Child Abduction, Accessible at: http://www.hcch.net/index_en.php?act=conventions.text&cid=24

Leaving family home as an option

The failure of the civil and criminal justice system to protect many women who are being subjected to abuse and enable them to remain in their own home,⁸⁶ has resulted in women seeking the safety and support of refuges and alternative accommodation options, including the essential supports provided by NGO's working in the area. This is very difficult decision for any woman, particularly women with children - to leave her home, local community and supports. Women who do leave the family home are at risk of homelessness. National statistics on domestic violence for 2010 released by SAFE Ireland⁸⁷ has shown that women and children looking for safety could not be accommodated on over 3,000 occasions because refuges were either full or unavailable in the area. These figures represent a substantial increase from 2009, reflecting that 'existing services have reached tipping point'. The report highlights the fact that Ireland has currently only one third of the refuge capacity recommended by the Council of Europe. A recent study commissioned by Sonas Housing Association highlighted that the continuing lack of refuge spaces is forcing a huge amount of women to access emergency homeless accommodation.⁸⁸

Traveller women, and their children, face the same difficulties. Additionally, Traveller women fear that leaving may bring shame and dishonour on themselves, and their immediate and extended family. Whilst it is seen by some that Traveller women who do leave and raise their family on their own are respected and praised within the community, others consider that they will be treated with suspicion⁸⁹ and may risk ostracisation from their community.⁹⁰ There may also be the strong expectation and the necessity to return to the home of her parents

'She's moving back into home where her father again controls her...if she stays with her husband even though violence, she's independent'

For a Traveller woman, leaving may mean leaving her community, culture and support networks; choosing between her identity as a Traveller and seeking help. Because of the widespread discrimination still pervasive in Irish society against the Traveller community, Traveller women fear entering into an environment where they may experience direct discrimination and increased levels of social isolation and face using supports and services which are not fully inclusive of their needs and culture.

The failure of the state to adequately provide for Traveller accommodation severely impacts on a Traveller woman's options in leaving a violent relationship. 'Insecurely accommodated or

⁸⁶ Kelleher, P. & O'Connor, M., (1999) *Safety and Sanctions: Domestic Violence and the Enforcement of Law in Ireland*

⁸⁷ SAFE Ireland national statistics on domestic abuse 2010, Available at: www.safeireland.ie

⁸⁸ O'Connor, M & Pillinger, J. (2011) *A Safe Space: Dun Laoighre Rathdown refuge – A feasibility study*

⁸⁹ Pavee Point (unpublished) *Traveller Women and Male Domestic Violence: Developing A Culturally Appropriate Response*

⁹⁰ Exchange House (2007) *Domestic Violence: Developing a Response*, Available on: www.exchangehouse.ie

nomadic women experiencing violence will put the requirements of their family first and prioritise the immediate basic needs of their children, placing the requirement to maintain a home over their own health and well-being'.⁹¹

There are cultural constraints within the Traveller community which also makes it difficult for Traveller women to leave a violent relationship. The high value placed on family and extended networks, and the belief and expectation that marriage is for life, can pressurise a woman to stay.

Conclusions

There is no evidence to suggest that domestic and sexual violence against women is more prevalent in the Traveller community. As with other minority ethnic groups the intersection of gender inequality, discrimination and poverty place Traveller women at higher risk, compounding difficulties in seeking, and getting, help and support. There is increasing awareness within the Traveller community of domestic and sexual violence as gender-based crimes and recognition of emotional and financial abuse as part of the pattern of abusive behaviour. Sexual violence, including marital rape, continues to be an issue that remains very much hidden and unreported.

Barriers to accessing mainstream and specialised support services remain, including discrimination (actual and feared) and a high level of mistrust in primary health services, social work services and the Gardai. Further work needs to be done for services to become fully inclusive of the needs and culture of Traveller women, and alternative accommodation options need to be provided. However in order to address the causes and additional risk factors for Traveller women, the structural inequalities of discrimination and poverty needs to be addressed, together with addressing gender inequality.

It is essential that all communities and Governments acknowledge and tackle the problem and create an environment where violence against women is unacceptable. Gender-based violence is an issue that needs to be addressed by all in society. Fundamental social change, education, legal protection, supports and justice for victims are essential in order to prevent abuse and to protect victims. A range of strategies which work to both prevent gender-based violence and to protect women is needed, including mainstreaming and the resourcing of targeted initiatives.

Mainstreaming of services requires planning, implementation and evaluation of how policies and practise impact on minority groups and requires the involvement of the Traveller community at every level. Targeted initiatives, including peer led outreach services also need to be developed. The Traveller community needs to be resourced in order to develop appropriate responses within the community, where the cultural and family context is understood, and where the

⁹¹ University of Bristol (2009) *Inequalities experienced by Gypsy and Traveller communities: A Review*

Traveller woman can access safety and supports. Further engagement with Traveller men on the issues is essential in order to address the level of tolerance that does exist, as reflected in the settled community and other minority ethnic groups.

In fighting against the oppression of racism, Traveller women's voices have in the past been silenced. However Travellers, both men and women, have been working to support those affected, to challenge attitudes and behaviour and to address existing gender inequality within their own community. As with the settled population, much work has yet to be done.

Recommendations

- Equality/Traveller proofing of mainstream and gender-based violence services. Local and national Traveller organisations have expertise in Traveller proofing policies and practice. Pavee Point has produced toolkits to enable effective mainstreaming and would welcome the opportunity to collaborate in using this toolkit for the planning and implementation of the national strategy and services.
- Provision of anti-racism and cultural awareness training for staff by Traveller representative organisations to ensure inclusive policies and practice
- Employment of Traveller women in mainstream services, including refuge, housing, information, support and counselling services; and within an Gardaí Síochána and state agencies. Further research needs to be undertaken in this area and pilot sites are recommended if such a scheme is introduced.
- Ethnic identifier from the Census 2006 to be used to assess uptake of services. Pavee Point is currently working on a position paper and code of practice to be used for the implementation of an ethnic identifier.
- Discontinue use of the HRC as a restriction on access to social welfare payments; or have Traveller and Roma exemptions and a domestic violence exemption
- Dissemination of information using Traveller networks and resources.
- Safe empowerment of Travellers to challenge behaviour within their own community.
- Provide funding for the development of Traveller specific community based initiatives including community and peer supports for women and children and culturally appropriate ways to engage more with Traveller men on the issues of domestic abuse and sexual violence.
- Resource the development of culturally inclusive Relationship and Sexuality Education Programmes
- Further research into the extent of domestic abuse and sexual violence, including specific studies on Travellers and minority ethnic women in Ireland.
- Provide sufficient funding for the national and local gender-based violence services to ensure those affected by abuse are supported and protected.

- A minimum target of 1 refuge place⁹²ⁱ per 10,000 of population needs to be agreed, and a timeframe set, so as to ensure women's access to safe emergency accommodation
- Develop and implement a Women's Health Strategy in consultation with women's organisations including a specific focus on Travellers and minority ethnic women
- Ireland should sign and ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence
- Ireland should sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights
- Countries are legally bound to submit national reports, at least every four years, on measures they have to take to comply with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women. The Government now needs to compile a report as Ireland's last submission to CEDAW was in 2005.

It is recommended that principles of equality underpin the work of the sector and be reflected in any actions undertaken to eradicate violence against women and that the national steering committee needs to take a lead role in the mainstreaming of equality within the sector.⁹³ Although these recommendations are for consideration by Government, Pavee Point also recognises that there is a role for Travellers and Traveller representative organisations and looks forward to continuing to work in partnership through the National Steering Committee, Regional Advisory Committees and the Public Awareness Steering Committee on the implementation of the National Strategy.

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⁹² Defined as number of rooms providing bed spaces for a woman and her children

⁹³ Pavee Point (2005) *Shadow Report Ireland's Combined Fourth and Fifth Reports under the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)* Available at: <http://www.paveepoint.ie/submissions/CEDAWShadowReport2004.pdf>

Appendix 1: Terminology⁹⁴

- Domestic Violence: The term domestic violence can be used interchangeably with intimate partner violence (IPV). Domestic violence is one of the most common forms of gender-based violence and is often characterized by long-term patterns of abusive behaviour and control. Domestic violence most usually refers to violence perpetrated by an intimate partner, though can also be used regarding violence perpetrated by other family members.
- Gender-based violence: An umbrella term for all forms of violence that are directed against a person on the basis of their gender or sex. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion, and other deprivations of liberty. Examples of gender-based violence include sexual violence, domestic violence, emotional and psychological abuse, trafficking, forced prostitution, sexual exploitation, sexual harassment, and harmful traditional practices (such as female genital mutilation and forced marriage). The vast majority of cases of gender-based violence are perpetrated against women.
- Intimate Partner Violence (IPV): Intimate partner violence is abuse that occurs between two people in a close relationship. The term “intimate partner” includes current and former partners. IPV exists along a continuum from a single episode of violence to ongoing abuse. It includes physical, sexual, financial and emotional violence.

⁹⁴Definitions taken from: Women’s Health Council (2009) Translating Pain into Action, A Study of Gender Based Violence and Minority Ethnic Women in Ireland, Appendix A: Glossary of Terms.