



**PAVEE POINT**  
TRAVELLER AND ROMA CENTRE

# Submission to Dept of Education re: Strategy Statement

*“Recognizing the important role of civil society at the local, national, regional and international levels.... special emphasis should be given to measures to assist in the strengthening of a pluralistic civil society.....and to the real and effective participation of the people in the decision-making processes.....”*

**UN Human Rights Council, 23<sup>rd</sup> Sept. 2013**

**October 2014**

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## Executive summary

Pavee Point Traveller and Roma Centre ('Pavee Point') welcomes the opportunity to make this submission to the Department of Education and Skills (DES) as it prepares its forthcoming Statement of Strategy.

Our work involves research, local action, awareness-raising, national resourcing and policy advocacy, and we undertake a community work approach based on the principles of human rights, equality, cultural diversity and inter-culturalism. All our work is undertaken using a community development approach.

Our activities at national level include our role as a specialist support agency funded by the Dept. of Environment under the LCDP. We also resource and coordinate national networks and represent Travellers on national Government-appointed committees including the National Traveller Education Advisory Consultative Forum (Dept. of Education).

Ultimately however, we feel that until Travellers are recognised as a minority ethnic group in Ireland, as recommended (unanimously) by the Joint Oireachtas Committee on Traveller Ethnicity (in April 2014), the situation of Travellers as well as Roma will not be sufficiently progressed.<sup>1</sup>

Our submission includes specific measures relevant to the four 'priority areas for action' identified in the document 'Ireland's education and training sector: overview of service delivery and reform'. It also includes general principles for effective inclusion which we believe should underpin all strategies and actions of the Department and agencies within its remit.

These are outlined in greater detail in the full submission.

## Specific measures for the development of the Strategy Statement

### **ACTION AREAS: LEARNING FOR LIFE AND SUPPORTING INCLUSION AND DIVERSITY**

1. Recommendation: include as a specific long-term objective to improve educational outcomes for Travellers and Roma
2. Recommendation: include as a specific long-term objective to improve the school completion rates for Traveller students in second level
3. Recommendation: ensure increased participation by Traveller and Roma in adult and further education and establish set clear targets to measure progress
4. Recommendation: set clear targets to ensure Traveller and Roma inclusion in Higher education
5. Recommendation: ensure that targeted resources and education supports are provided for students and groups with lower educational outcomes (including Travellers and Roma) to ensure greater equity.
6. Recommendation: provide supports to ensure that school completion rates among the Traveller and Roma community are comparable with those of their settled peers.
7. Recommendation: develop a new Intercultural Education Strategy in collaboration with representative groups which includes an implementation plan and key deliverables.
8. Recommendation: introduce compulsory intercultural and diversity training at initial teacher education and in-service/ professional development levels

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<sup>1</sup> And endorsed by other groups UN CERD

9. Recommendation: include Traveller and Roma culture in the school curricula
10. Recommendation: publish and implement an ‘Admissions to Schools Bill’ that ensures consistent, equal and accessible enrolment processes across all schools

### **PRIORITY ACTION AREA: IMPROVING QUALITY AND ACCOUNTABILITY**

11. Recommendation: we would urge the DES to put in place a system for capturing data on the participation of Travellers and Roma (as well as other minority ethnic groups) in all thematic areas, organisations, and actions within its remit through the implementation of an ethnic identifier on a mandatory basis.

### **PRIORITY ACTION AREA: BUILDING THE RIGHT SYSTEMS AND INFRASTRUCTURE**

12. Recommendation: we would strongly recommend mandatory equality proofing of all legislation, strategies, policies and action plans that come within the remit of the Department.
13. Recommendation: disaggregated data gathered be used to monitor, assess and inform measures taken to improve attainment, retention, attendance and transfer of all students in the education system.

## **Principles for effective inclusion**

Pavee Point holds that any strategy must be underpinned by an inter-cultural approach and by principles of equality, diversity and anti-racism. Strategies and implementation programmes must be inclusive, culturally appropriate, and appropriate to the needs of groups in society, including Travellers and Roma. The principles below are cross-cutting and should be applied to all objectives, actions and initiatives of the DES, as well as to the wide range of organisations, agencies and institutions that operate within its remit.

### **DECISION-MAKING AND OVERSIGHT**

14. Recommendation: given the extent of disadvantage and marginalisation experienced by Travellers and Roma, it is imperative that structures established for the achievement of goals include the participation of Traveller and Roma representative organisations.

### **PREPARATORY ACTIONS AND CONSULTATION**

It is essential that the needs of key marginalised and minority ethnic groups, such as Travellers and Roma are undertaken, as a ‘one size fits all’ approach will not be sufficient.

15. Recommendation: the DES should identify barriers and group needs, care should be taken to identify barriers that are likely to exist for Travellers and Roma (including consideration of different age groups, gender etc.).

### **CONSULTATION**

16. Recommendation: consultation with Travellers and Roma representative organisations must be included at all levels and stages of consultations undertaken in preparation and delivery of actions identified in the Statement of Strategy.

### **DATA COLLECTION**

**17.** Recommendation: we urge the DES to put in place a system for capturing data on the participation and outcomes for Travellers and Roma (as well as other minority ethnic groups) in all thematic areas, organisations, and actions within its remit through the implementation of an ethnic identifier on a mandatory basis.

**18.** Recommendation: that disaggregated data be used to monitor, assess and inform measures taken to improve attainment, retention, attendance and transfer of all students in the education system.

### **RECRUITMENT, MONITORING AND ACCOUNTABILITY**

**19.** Recommendation: as part of any future recruitment process of staff across the DES and its associated agencies, criteria for employment and job descriptions should include provisions for a commitment to anti-racist and equality perspective. Job descriptions of staff should also reflect this perspective in terms of essential skills.

**20.** Recommendation: the performance management system for the public sector (PMDS) should also include wider criteria in their measurement of performance to include outcomes in terms of progressing equality for Travellers and Roma in Ireland.

**21.** Recommendation: given the importance of adopting principles of inter-culturalism and equality, we would urge the DES to target the employment of Travellers and Roma in any future recruitment processes. This would enhance the capacity of the agency and include the expertise of these communities.

### **POSITIVE ACTION MEASURE**

**22.** Recommendation: we would also recommend that a positive action measure with respect to any future employment opportunities for Travellers and Roma should be a key policy for the DES and actions arising from them.

### **INNOVATIVE MEASURES AND PROGRAMMES**

**23.** Recommendation: the DES support innovative approaches, in the achievement of objectives, and work with organisations such as Pavee Point in their development.

### **CULTURAL IDENTITY**

**24.** Recommendation: the cultural identity of Travellers and Roma is recognised by the DES and reflected across all its strategies and their implementation

### **POSITIVE DUTY**

**25.** Recommendation: the actions proposed in this submission could – if implemented – demonstrate how the DES is meeting its positive duty, and should be adopted in order to demonstrate this legal obligation.

# **1. Introduction**

## **1.1. Pavee Point Traveller and Roma Centre**

Pavee Point Traveller and Roma Centre ('Pavee Point') welcomes the opportunity to make this submission to the Department of Education and Skills (DES) as the Department prepares for its new Statement of Strategy.

Pavee Point is a voluntary, or non-governmental organisation committed to the attainment of human rights for Irish Travellers and Roma. The group is comprised of Travellers and Roma, and members of the majority settled population working together in partnership. The aim of Pavee Point is to contribute to improvement in the quality of life and living circumstances of Irish Travellers and Roma<sup>2</sup> through working for social justice, solidarity, socio-economic development and human rights.

Our work involves research, local action, awareness-raising, national resourcing, policy and advocacy. We undertake a community work approach based on the principles of human rights, equality, cultural diversity and inter-culturalism. Amongst the activities we undertake are training, technical support, information and communications resources. We work at national, regional and local levels. Amongst our activities at national level include our role as a specialist support agency funded by the Dept. of Environment under the LCDP. We also resource and coordinate a number of national networks including the National Traveller Health Network and the National Drugs Network. We also represent Travellers on a number of national government appointed committees including the National Traveller Education Advisory Consultative Forum (Dept. of Education and Skills); the National Traveller Monitoring Advisory Committee (Dept. of Justice); the National Traveller Accommodation Consultative Committee (Dept. of Environment); the National Traveller Health Advisory Committee (Dept. of Health), and the Traveller Health Advisory Forum (HSE).

All our work is undertaken using a community development approach. Community development seeks and promotes positive social change in society in favour of those who benefit least from social and economic developments. It seeks to challenge the causes of poverty and disadvantage and to offer new opportunities for those lacking choice, power and resources. It also recognises that the majority of the problems that Travellers experience are as a result of racism and the state's failure to recognise them as a minority ethnic group.

Community development is a developmental activity composed of both task and a process. The task is the achievement of social change and to address the causes and symptoms of poverty with marginalised groups (such as Travellers and Roma) based on principles of equality, human rights and social justice. The process concerns the application of the principles of participation, empowerment and collective decision making in a structured and co-ordinated way. It does this by building groups' capacity to organise and to give

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<sup>2</sup> "Roma" used at the Council of Europe refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as "Gypsies".

voice to their needs and experiences, to make collective decisions on behalf of their communities and to participate in decision-making structures that affect them.

Community development therefore involves people experiencing disadvantage being the active agents in making changes they identify to be important.

Crucially, it is also based on the premise that policies, programmes and services intended to tackle or eliminate poverty are much more likely to be efficient and effective if the people who are part of communities affected by poverty and disadvantage are involved in the design and implementation of solutions.

We occupy a key role at national level to ensure that agreed government policies are implemented with the engagement of Traveller and Roma communities and adopting community development principles. We feedback developments at national level to Traveller organisations, Travellers and Roma and inform and support local activities.

This submission is made as the DES prepares its forthcoming Strategy Statement, and outlines our position on how the statement should be developed and implemented, taking on board key principles of equality of outcome, social inclusion, cultural identity, partnership, and community development.

We also make recommendations around general themes of good practice, including participation in structures, training and awareness, data collection and monitoring.

The format of the submission is as follows:

- Section 2 provides an outline of the profile and experiences of Travellers and Roma in Ireland focusing on education.
- Section 3 outlines key considerations for the completion of the Strategy Statement, based on the current Strategy Statement (2011-2014), and recommends important actions that should underpin its development and implementation.
- Section 4 outlines some cross-cutting themes and values that we believe to be necessary to advance equality for Travellers and Roma in Ireland, and which should underpin the Strategy Statement.

## 2. Travellers and Roma in Ireland

### 2.1. Travellers in Ireland

The number of people enumerated as Irish Travellers in Census 2011 was 29,573, an increase of 32% since census 2006. All counties apart from Limerick and Waterford showed increases in the Traveller population that were larger than the increase in the general population.<sup>3</sup> The figure compares with 36,224 population of Travellers enumerated in the Traveller All Ireland Health Study (AITHS).<sup>4</sup>

The areas with the highest population of Travellers is Dublin city and suburbs, followed by Galway, Cork, Tuam, Navan, Limerick, Ennis and Longford, which collectively account for 35% of the total Traveller population.

A summary of the profile of Travellers arising from research and Census 2011 (CSO) of Travellers include:

- **A younger age profile:** the average age of Travellers was 22.4 years compared with 36.1 years for the population as a whole, over half of all Travellers (52.2%) were aged under 20 years (CSO). In 2011, children accounted for 48% of the Traveller population (14,245) – the corresponding figure for the total population was 25%.
- The number of Traveller children increased by 30.3% between 2006 and 2011.
- **Health and life expectancy:** outcomes in terms of health and life expectancy for Travellers is significantly lower than that of the rest of the population. The All Ireland Traveller Health Survey (AITHS, 2010) found that life expectancy at birth for male Travellers is 15.1 years less than the general population. Men in the community continue to have higher rates of mortality for all causes of death. Life expectancy at birth for female Travellers is now 70.1 which is 11.5 years less than women in the general population. Traveller infant mortality is estimated at 14.1 per 1,000 live births (compared with the general population rate of 3.9).
- Suicide rates are nearly 7 times higher in Traveller men compared with the general male population. Suicide accounts for 11% of all Traveller deaths.
- Just under half of all Travellers feel discriminated against. This is experienced in all aspects of life. However, least discrimination is experienced in sport, followed by the health sector. Travellers have a strong sense of community and high levels of community/family support.
- The AITHS findings reported that both Travellers and health service providers interviewed acknowledged that ‘social determinants’ were the main cause of the poor health status of Travellers, this includes accommodation, education, employment, poverty, discrimination, lifestyle and access and utilisation of services.
- Between 2006 and 2011, the percentage of Traveller households residing in caravans or mobile /temporary structures halved from 24.7% to 12.3%. In 2011, 920

<sup>3</sup> This increase was attributed to a greater disclosure amongst the Traveller population as regards their ethnic status and identity following collaboration between Pavee Point and the CSO in implementation of the ethnic question in Census.

<sup>4</sup> All Ireland Traveller Health Study Team, School of Public Health, Physiotherapy and Population Science, University College Dublin. (2010) *All Ireland Traveller Health Study : Our Geels*.



households with Travellers resided in such temporary accommodation. A study commissioned by Pavee Point in 2013 noted that Travellers live in smaller and more overcrowded homes than the settled community<sup>5</sup>. The same report shows a fall in allocations by the Department of Environment, Community and Local Government in relation to Traveller-specific accommodation, from €40m in 2008 to €6m in 2012, a reduction of 85%. Moreover, substantial parts of the allocation are unspent (in 2012, 34% of the reduced accommodation budget was unspent).<sup>6</sup>

- **Employment:** unemployment in the Irish Traveller community was 84.3% in 2011, up from 74.9 per cent five years earlier. The Equal at Work initiative in 2003 identified labour market barriers experienced by Travellers as including literacy confidence (more so than literacy problems); educational qualifications – particularly where the Leaving Certificate is an entry level requirement for jobs; ageism – particularly for older workers who have not had the opportunity to complete the Leaving Certificate, prejudice in relation to where people live, and confidence.<sup>7</sup>

## EDUCATION

Census 2011 highlights the following situation of Travellers in Ireland with regard to education:

- 69% of Travellers were educated to primary level or lower, including 507 persons that were aged between 15 and 19 years in 2011.
- 55% (of Travellers whose education had ceased) had completed their education before the age of 15, compared with 11% for the total population.
- 21.8% of Travellers (whose education had ceased) were educated to lower second level, compared with 15.2% in 2002. The percentage of Travellers who completed upper secondary education more than doubled from 3.6% to 8.2% over the same period.
- Only 3.1% continued their education past the age of 18, compared with 41.2% for the total population, and only 1% of Travellers progressing to third level education (compared with 31% of the settled population).
- Traveller females stayed longer in school than their male counterparts with 15% ceasing their education at age 17 or over, compared with just 11% of males.
- The percentage of Travellers with no formal education in 2011 was 17.7% compared with 1.4% in the general population.

Studies undertaken refer to the low levels of educational attainment and the negative experiences of Travellers in school:

- The *Report on the First Phase of the Evaluation of DEIS (2011)* found that the educational attainment of Travellers remains significantly lower than that of their settled peers in both reading and mathematics. The magnitude of the difference between the scores of the two groups is large in every case.<sup>8</sup>

<sup>5</sup> Harvey, B. (2013) *Travelling with Austerity*. Dublin: Pavee Point

<sup>6</sup> Harvey, B. (2013) IBID

<sup>7</sup> Murphy, P. (2003): *Report on Community Employment Skills and Progression*. Report carried out by Equal at Work on behalf of South Dublin Public Sector Site

<sup>8</sup> Department of Education (2011) *Report on the First Phase of the Evaluation of DEIS*. Dublin: Department of Education

- The 2012 *State of the Nation's Children* report found that Traveller children, immigrant children and children with a disability are more likely to report being bullied at school.

## 2.2. Roma in Ireland

The situation of Roma in Ireland is very intricate and complex. There are an estimated 5,000 Roma in Ireland from countries including Romania, Bulgaria, Slovakia, Czech Republic, Hungary and Poland. However, there is very little accurate data available as Roma ethnicity is not collected in immigration, employment, education or other Government statistics. Nor is Roma ethnicity included in the 'ethnic and cultural background' question in the Census. In any case, Roma participation in the Census is likely to be problematic given issues of social exclusion, discrimination, experience of Holocaust and lack of trust in authority by many Roma. The lack of trust and isolation amongst Roma is exacerbated by recent events in Dublin and Athlone where children were removed from families by An Garda Síochána (under Section 12 of the Childcare Act) without any sound basis.

Research by the EU Fundamental Rights Agency (FRA) in 2012 found that in 11 EU countries:

- One out of three Roma are unemployed
- About 90% of the Roma live in poverty
- About half of the Roma said that they have experienced discrimination in the past 12 months<sup>9</sup>

Roma have long experienced racism and discrimination in Europe, and it has been estimated that the death toll of Roma in the holocaust ranges from 220,000 – 1,500,000 (it has also been estimated that around 25% of all European Roma were killed in the holocaust), and others endured forced sterilisation. Roma throughout Europe have been subject to violence, incitement to hatred, and segregated education.

The European Roma Rights Centre<sup>10</sup> reports that violence against Roma communities is rising across Europe. The attacks they have documented include police violence, arson attacks, mob violence and anti-Roma demonstrations.

Former Council of Europe Commissioner on Human Rights, Thomas Hammarberg, noted in 2012 that *'in many European countries the Roma population is still denied basic human rights and made victims of flagrant racism. The Roma remain far behind others in society in terms of educational attainment, employment, housing and health standards, and they have virtually no political representation.'*<sup>11</sup>

<sup>9</sup> European Union Fundamental Rights Agency (2012) The Situation of Roma in 11 EU Member States – Survey Results at a Glance. <http://fra.europa.eu/en/publication/2012/situation-roma-11-eu-member-states-survey-results-glance>

<sup>10</sup> The European Roma Rights Centre (ERRC) is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. Since its establishment in 1996, it has endeavoured to provide Roma with the tools necessary to combat discrimination and achieve equal access to justice, education, housing, health care and public services.

<sup>11</sup> Thomas Hammarberg is a Swedish diplomat who held the post of Council of Europe Commissioner for Human Rights in Strasbourg from 1 April 2006 to 31 March 2012.

The lack of accurate information on Roma communities makes it difficult to develop effective and appropriate policies and to provide appropriate services. However, it does appear that Ireland has a relatively small Roma population compared to other western European countries, so it should be possible to address the difficulties that they are experiencing.

### 2.3. Key policy issues

Pavee Point believes that much of the difficulties faced by Travellers and Roma have their basis in racism and discrimination in Ireland, both at an individual and an institutional level. Much of the policy responses and practice has been characterised by a fragmented approach, which has led to state institutions undermining the policies of other state institutions. Examples of some policy issues which impact on Travellers and Roma are outlined below.

#### **HABITUAL RESIDENCE CONDITION**

Habitual residence is a condition which applicants must satisfy in order to qualify for certain social welfare assistance payments. Habitual residence essentially means an applicant must be able to prove a close link to Ireland. Five factors are considered to determine habitual residence:

- the length and continuity of residence in the state or in any other particular country;
- the length and purpose of any absence from the state;
- the nature and pattern of the person's employment;
- the person's main centre of interest;
- the future intentions of the person concerned as they appear from all the circumstances.

Pavee Point have noted that the application of HRC is having a disproportionate and devastating impact on Travellers and Roma in Ireland and raising serious human rights concerns. This arises in a number of ways: Travellers who are living a nomadic lifestyle may move between the UK and Ireland, and application of the HRC to the Common Travel Area will have a disproportionately negative impact, even though the movement by Travellers' does not reflect an intention to relinquish ties to Ireland. The provisions in the HRC guidelines make no provision for nomadism, make no consideration that Travellers and Roma may not in fact live in permanent housing.

In addition the application of restrictions until July 2012 to labour market access for Roma from Romania and Bulgaria has in practice excluded many Roma from these countries from accessing employment and community employment schemes. This has also negatively affected their work record. Pavee Point also has concerns in relation to the gendered nature of the assessment of the nature and pattern of a person's employment, as women who perform caring roles are less likely to have been in formal employment.

These restrictions simply make it impossible for Travellers to travel across the island and place Roma and Travellers in destitution. Our position is that:

- HRC is having disproportionate effect on Travellers and Roma
- The Irish Government has human rights obligations and needs to ensure that all legislation, policy and practice are in line with the Treaties that it has signed up to. It is clear that the impact of HRC is acting as a barrier to the realisation of Travellers' and Roma human rights in Ireland which needs to be addressed.
- The HRC needs to be reformed and more stringent proofing of the impact of economic and budgetary policies particularly on people in vulnerable situations needs to be put in place, as these restrictions go far beyond the intended purpose of controlling immigration.
- Application of the concept of a geographical 'centre of interest' to culturally nomadic communities such as the Traveller community is problematic, as it is interpreted from the viewpoint of the static majority population. Guidelines need to be amended to take into account differences in Traveller culture.
- The application of HRC to child benefit needs to be removed. All children living in Ireland should be treated equally and according to the principle of non-discrimination. This is in line with the UN Convention on the Rights of the Child, which Ireland has signed up to.
- HRC is not always applied in a consistent and timely manner. This is placing people who are already at risk into extremely vulnerable situations.

The restriction on benefits and services for people without what the state deems 'habitual residence' is resulting in families and children unable to access disability benefits, child benefits and supports available to other children and families. Many families living in Ireland experience serious hardship as a result, with consequences such as school non-attendance and effectively being forced into begging. It highlights how one aspect of state policy can undermine and run contrary to other measures.

The Habitual Residence Condition (HRC) is one example of this issue, as it leads to child and family welfare issues for Roma and impacts on children's access to education, health and support provisions which ultimately lead to child welfare concerns.

### **TRAVELLER ETHNICITY**

Until Travellers' ethnicity is recognised by the State, we believe that such difficulties will remain. We believe that unanimous recommendation from *The Joint Oireachtas Committee on Traveller Ethnicity* that the State recognise Traveller ethnicity in April 2014 is an important step. The report outlines three steps on how formal State recognition of Traveller ethnicity could be brought about:

- Step 1: That either the Taoiseach or the Minister for Justice and Equality make a statement to Dáil Éireann confirming that this State recognises the ethnicity of the Travelling community.
- Step 2: That the Government then writes to the relevant international bodies, confirming that this State recognises the ethnicity of the Travelling community.
- Step 3: That the Government build on these initiatives and commence a time-limited dialogue with the Traveller representative groups about the new legislation or amendments to existing legislation now required.

This recognition would entitle Travellers and Roma to their right to a cultural identity. It would mean that Travellers and Roma would automatically be included in all State anti-racism and inter-cultural initiatives, and that discrimination that the communities experience would be recognised as racism. It would also ensure that Travellers would be afforded protection under the EU Race Directive. Recognition of the minority ethnic status of Travellers would open a new dialogue as to how the State interacts with Travellers into the future.

Pavee Point has called on the Minister for Justice to immediately act on this report recommending the recognition of Traveller Ethnicity and to accept this cross party recommendation.

### **IRELAND'S NATIONAL TRAVELLER ROMA INTEGRATION STRATEGY**

Ireland's *National Traveller Roma Integration Strategy* was submitted in 2012 (on foot of a requirement for all EU Member states to submit a strategy).<sup>12</sup> We believe that the plan provided a good opportunity to ensure a coordinated and consistent approach, to address policy gaps in relation to issues such as training, employment, and health, and to review existing strategies in relation to Travellers. It also afforded an opportunity to introduce and develop policies for the inclusion of the Roma community in Ireland.

However, Traveller and Roma representatives had no involvement in the development of the strategy; no funding has been associated with any of the actions; and no targets and monitoring provisions have been specified as part of the policy framework of the plan. As a result, the strategy has been ineffective. The European Commission has conducted two assessments across all member states: both exposed serious gaps in Ireland's strategy, and in its most recent assessment, June 2013, Ireland received a poor score of four out of 22 criteria for assessment established by the Commission.

Pavee Point has also called for a coordinated approach in the form of a Traveller and Roma Agency in Ireland, given the range of agencies and structures relevant to Travellers. At a minimum we call for the establishment of a Traveller and Roma Unit, which would be a structure that brings together policy-makers and senior civil servants, on a cross-departmental and inter-agency basis. Such a structure should be implemented by a national steering committee, which would include Traveller and Roma representatives.

We welcome the opportunity to make this submission to the DES as it prepares for its new Strategy Statement. We believe that the proposals could address many of the issues which have adversely affected Travellers for many years. The next section of this submission includes elements which we believe should underpin how the strategy should be developed and implemented.

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<sup>12</sup> The EU Framework for National Roma Integration Strategies, established in 2011, called on member states to develop National Roma Inclusion Strategies.

## **3. The Statement of Strategy**

### **3.1. Introduction**

This submission is a response to the call for submissions issued by the Department of Education and Skills (DES). In its call for submissions, the DES asserts that the Statement of Strategy, as a key policy document, will focus on Government priorities and set out the strategic direction and high level goals of the DES for that period. We urge that the proposals identified in this submission are incorporated into the Statement of Strategy in order to ensure address the educational inequality experienced by Travellers and Roma.

#### **MISSION OF THE DEPARTMENT OF EDUCATION AND SKILLS**

The DES is responsible for education and training in Ireland and its mission is to enable learners to achieve their full potential and contribute to Ireland's economic, social and cultural development.

#### **PRIORITY AREAS OF ACTION**

The new Statement of Strategy will be informed by the document *Ireland's Education and Training Sector – Overview of service delivery and reform* and will focus on the following four priority actions:

- Learning for life,
- Improving Quality and Accountability,
- Supporting Inclusion and Diversity and
- Building the Right Systems and Infrastructure

In this section, we recommend a range of measures to these action areas.

### **3.2. Priority actions: Learning for Life and Supporting Inclusion and Diversity**

The following proposals are made in respect of both of these action areas, as we believe that an intercultural approach to education and measures to support inclusion should underpin both action areas.

There are a number of reasons why Travellers leave formal education earlier than settled children and young adults. These relate to isolation, discrimination, low expectations and marginalisation. Lack of support is another key factor. A major issue is that in the course of approximately three to four years, many educational supports that Travellers availed of have been dismantled. Probably the most significant of these is the loss of the Visiting Teacher for Traveller Service (VTT) and Resource Teachers for Travellers (RTT). The VTT assisted both children and parents in engaging with the schools and education system.

In March 2011, the *Committee on the Elimination of Racial Discrimination* in its concluding observations on Ireland recommended that ‘The State party should ensure that concrete measures are undertaken to improve the livelihoods of the Traveller community by focusing on improving students’ enrolment and retention in schools.’

**1. Recommendation: include as a specific long-term objective to improve educational outcomes for Travellers and Roma**

Equality of outcome for Travellers and Roma should be an objective in the Statement of Strategy if the educational disadvantage of the communities is to be addressed. This should be underpinned by a range of measures and commitments as outlined below.

**2. Recommendation: include as a specific long-term objective to improve the school completion rates for Traveller students in second level**

An explicit objective should be established in the Statement of Strategy that the school completion rates for Travellers and Roma in second level will be improved. The Statement of Strategy should also specify targets and establish performance indicators to measure outcomes and progress.

**3. Recommendation: ensure increased participation by Traveller and Roma in adult and further education and establish set clear targets to measure progress**

Following the closure of the Senior Traveller Training Centres it is crucial that Travellers and Roma are supported and facilitated to participate in mainstream adult and further education. To ensure this, clear targets should be set and any new measures introduced should be examined in terms of their impact on Traveller and Roma participation.

As a result of changes to the BTEI guidelines, Travellers who were participating in education and training programmes are no longer eligible to receive a training allowance. These changes have had a significant and detrimental impact on the number of Travellers participating in BTEI schemes.

The cuts were particularly frustrating as affected groups were given very little notice. This rendered them unable to explore alternative funding streams. Given that Travellers are identified in the Government’s activation agenda as a ‘target group’ it is very disappointing that the impact these changes would have on Travellers was not considered before they were implemented.

**4. Recommendation: Set clear targets to ensure Traveller and Roma inclusion in Higher education**

The DES should promote and support equity of access for target groups, including Travellers and Roma, as identified in the HEA National Equity of Access Strategy. It is essential that clear targets and indicators are identified to ensure that monitoring of progress and outcomes is facilitated.

**5. Recommendation: ensure that resources and education supports are targeted and students and groups with lower educational outcomes (including Travellers and Roma) to ensure greater equity.**

**6. Recommendation: provide supports to ensure that school completion rates among the Traveller and Roma community are comparable with those of their settled peers.**

To ensure greater equality in education, at all levels, supports must be provided. As outlined above, in the last four years Traveller specific educational supports have been dismantled: according to research undertaken by Pavee Point in 2013, funding for Traveller specific education supports have been cut by 86%.<sup>13</sup> Pavee Point insists that such cuts run contrary to any objective to improve educational outcomes, and strongly urges measures in the Statement of Strategy to ensure that supports are provided.

**7. Recommendation: develop a new Intercultural Education Strategy in collaboration with representative groups which includes an implementation plan and key deliverables.**

It is essential that a commitment by the DES to social inclusion and diversity is underscored by a commitment to develop a new intercultural education strategy. Such a strategy should explicitly include Travellers and Roma, as key stakeholders, and the participation of Travellers and Roma representative organisations should be core to its development. A new intercultural education strategy should be accompanied by a clear implementation plan (with accompanying resources) which would include key deliverables and specific targets and indicators, and provision should be made for targeted supports as outlined above.

**8. Recommendation: introduce compulsory intercultural and diversity training at initial teacher education and in-service/ professional development levels**

We urge that the strategy statement should ensure the introduction of high quality compulsory intercultural and diversity training at both initial teacher education (ITE) and in-service levels.

This would effectively challenge bias and prejudice, and equip teachers to address discriminatory attitudes and behaviour. Teachers need to be equipped with an awareness of prejudice and stereotypes and empowered with tools to reflect on them in order to avoid negative perceptions being transferred to young students. The DES should ensure that this becomes part of the remit of the Teaching Council and teacher educators. This programme of training should be developed in collaboration with Traveller representative groups.

**9. Recommendation: include Traveller and Roma culture in the formal school curricula**

For many students, the first time that they encounter the Traveller community in the education system is when they study Civic, Social and Political Education (CSPE) in post

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<sup>13</sup> Harvey, B (2013): *Travelling with austerity: Impacts of Cuts on Travellers, Traveller Projects and Services*. Dublin: Pavee Point



primary school. Traveller students often report feeling ashamed and embarrassed at this point, which is understandable given that they may never have been asked to discuss their culture in front of their peers in an education setting before. In the majority of education settings Roma culture is never included in the school curriculum.

The long term implications of failing to incorporate Traveller/Roma culture across the curriculum are twofold. Firstly, it prevents students from the majority population from understanding and appreciating the contributions made by the Traveller and Roma communities to the wider Irish society and European culture. Secondly, it results in Traveller/Roma students feeling that their culture is neither valued nor welcomed in the education system, contributing to a lower sense of self-worth and isolation within the school community.

**10. Recommendation: publish and implement an ‘Admissions to School Bill’ that ensures consistent, equal and accessible enrolment processes across all schools.**

Enrolment policies have long proven to be a significant obstacle for Travellers in both accessing and progressing through the education system and have often served to continue a paradigm of institutional discrimination towards Travellers within the education system.

It is imperative that the ‘Admissions to School Bill’ is published and implemented across all schools. The Bill should include the recommendations made by the Oireachtas Joint Committee on Education and Social in their ‘Report on the Draft General Scheme of an Admissions Bill 2013’. This would ensure the complete removal of the ‘past pupil criterion’, the establishment of an appeals process external to the school, and the standardisation and accessibility of school enrolment forms.

Proposed legislation should give effect to the above measures, but in the interim, the DES should ensure that its guidelines it issues to schools around enrolments and procedures follow best practices and are equality proofed. Guidelines should endorse the following practices:

- Standard deadlines for enrolment as outlined above
- Elimination of requirements for a non-refundable deposit to be paid in some schools
- Elimination of enrolment policies which discriminate against Travellers.
- A robust methodology for EWOs to establish whether a (second level) school is full should be developed.

**3.3. Priority action: improving quality and accountability**

Data collection is essential for the effective monitoring of access to education and outcomes. Without disaggregated data, it will not be clear how Travellers or Roma are progressing in all provisions of the Statement of Strategy.

**11. Recommendation: we would urge the DES to put in place a system for capturing data on the participation of Travellers and Roma (as well as other minority ethnic groups) in all thematic areas, organisations, and**

**actions within its remit through the implementation of an ethnic identifier on a mandatory basis.<sup>14</sup>**

This would include mandatory implementation of an ethnic identifier across all areas, agencies, and organisations within the remit of the DES. This would support the DES to identify needs, combat racism and discrimination, promote equality, monitor progress of programmes and policies and provide a basis for evidence-based policy-making. All provisions for developing and implementing an ethnic identifier should include participation of Traveller and Roma representative organisations.

### **3.4. Priority action: Building the right systems and infrastructure**

**12. Recommendation: we would strongly recommend that mandatory equality proofing of all legislation, strategies, policies and action plans that comes within the remit of the Department takes place.**

This would establish the potential impact (positive and negative) of strategies and policies on Travellers and Roma with regard to achieving equality of outcome.

All proofing and impact assessment measures should be overseen by a steering or working group comprised of stakeholders, including Traveller organisation representatives, and DES staff (including senior management) and it should be resourced by staff members.

**13. Recommendation: that disaggregated data gathered be used to monitor, assess and inform measures taken to improve attainment, retention, attendance and transfer of all students in the education system.**

Any system should include the voice of minority ethnic groups, and Pavee Point has supported the design and implementation of ethnic identifiers in Ireland (for example, with the central statistics office as part of national Census and with HSE services).

In the section that follows, we propose a number of measures and principles that should underpin the Statement of Strategy of the Department as a whole, and should underpin the measures undertaken in each of the action areas above.

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<sup>14</sup> The Council of Europe Convention 108 specifies certain conditions for the processing of personal data and in order for the collection of ethnic data to be legitimate and lawful, these requirements must be fulfilled.

## 4. Principles for effective inclusion

### 4.1. Introduction and context

Pavee Point holds to the principle that in order to achieve equality for Travellers and Roma, attention must be paid to the structural issues that impact on them, including discrimination and racism. This means that policy and practice must be underpinned by an inter-cultural approach and by principles of equality, diversity and anti-racism.

Delivering services based on equality does not mean treating people the same, but designing and implementing programmes that are inclusive, culturally appropriate, and appropriate to the needs of groups in society, including Travellers and Roma, and lead to better outcomes for disadvantaged groups, including Travellers and Roma. Fundamentally we believe that Travellers and Roma should be afforded rights to their cultural identity, without experiencing marginalisation and discrimination in the process.

We believe that Travellers and Roma should therefore be considered as important stakeholders in the development of all strategies, as well as their implementation.

Adopting this approach is critical now, in light of devastating and disproportionate impact on Travellers of funding cuts.<sup>15</sup> These are summarised in the tables below:<sup>16</sup>

Programmes for Travellers	Loss of funding (2008-2012)
Inter-agency activities	-100%
Traveller specific education	-86.6%
Traveller accommodation	-85%
Equality	-76.3%
National Traveller Organisation	-63.3%
FAS Special Initiative for Travellers	-50%
National Traveller Partnership	32.1%
Traveller SPY youth projects	29.8%
Health	-5.4%

The figures should be compared to the overall reduction in government current spending of -4.3% over 2008-2013. Therefore opportunities to work with Traveller and Roma organisations should be seized by the DES and included in the new strategy statement.

Ultimately, as outlined in section 2.3, we feel that until Travellers are recognised as a minority ethnic group in Ireland, as recommended (unanimously) by the Joint Oireachtas

<sup>15</sup> Harvey, B (2013): *Travelling with austerity: Impacts of Cuts on Travellers, Traveller Projects and Services*. Dublin: Pavee Point

<sup>16</sup> Note: the report highlights that some state agencies did not even spend all their allocation, so the loss of resources is even worse than that highlighted in the figures.

Committee on Traveller Ethnicity (in April 2014), the situation of Travellers as well as Roma will not be sufficiently progressed.<sup>17</sup>

In this section, we outline key recommendations which cross-cut all goals, aims and objectives as well as activities and processes involved in the strategy statement. We believe in adopting these, the strategy will be enhanced, and educational outcomes for Travellers and Roma (as well as other groups) will be maximised. These principles include:

- Decision-making and oversight
- Preparatory actions
- Consultation
- Equality/Social impact assessment
- Data collection
- HR and capacity building measures

#### **4.2. Decision-making and oversight**

**14. Recommendation: given the extent of disadvantage and marginalisation experienced by Travellers and Roma, it is imperative that structures established for the achievement of goals include the participation of Traveller and Roma representative organisations.**

#### **4.3. Preparatory actions**

**15. Recommendation: the DES should identify barriers and group needs: care should be taken to identify barriers that are likely to exist for Travellers (including consideration of different age groups, gender etc.).**

It is important that the needs of key marginalised and minority ethnic groups, such as Travellers and Roma are undertaken, as a ‘one size fits all’ approach will not be sufficient.

#### **4.4. Consultation**

We believe that a ‘one size fits all’ approach will not be sufficient to account for the diversity of situation, experience and identity of Travellers and Roma in education in Ireland.

**16. Recommendation: consultation with Travellers and Roma representative organisations must be included at all levels and stages of consultations undertaken in preparation and delivery of actions identified in the Statement of Strategy.**

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<sup>17</sup> And endorsed by other groups UN CERD

#### 4.5. **Equality/Social impact assessment**

##### **17. Recommendation: we would strongly recommend that mandatory equality proofing of all strategies, policies and action plans takes place.**

This would establish the potential impact (positive and negative) of strategies and policies on Travellers and Roma with regard to achieving equality of outcome. This would involve implementing equality/social impact assessments on programmes and policies. It must also involve a programme of monitoring changes arising from equality/social impact assessment.

All proofing and impact assessment measures should be overseen by a steering or working group comprised of stakeholders, including Traveller organisation representatives, and DES staff (including senior management) and it should be resourced by staff members.

#### 4.6. **Data collection**

Data collection is essential for the effective monitoring of access to and outcomes from services.

##### **18. Recommendation: We urge the DES to put in place a system for capturing data on the participation of Travellers and Roma (as well as other minority ethnic groups) in all thematic areas, organisations, and actions within its remit through the implementation of an ethnic identifier on a mandatory basis.<sup>18</sup>**

This would include mandatory implementation of an ethnic identifier across all areas and organisations. This would support the DES to identify needs, combat racism and discrimination, promote equality, monitor progress of programmes and policies and provide a basis for evidence-based policy-making.

Pavee Point has long called for the recognition of Travellers as an ethnic group and for the implementation of an ethnic identifier to provide better services to minority groups. Pavee Point calls for an ethnic identification and ethnic equality monitoring process which will facilitate the collection of data disaggregated on basis of ethnicity (inclusive of Travellers) within a human rights framework.

This requires:

- A universal question for all service users (e.g., parents and adult students)
- Based on principle of voluntary self-identification of ethnic status
- Data collected is aggregated and anonymised
- Data is only used for the purpose for which it was collected
- It is available in a timely manner

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<sup>18</sup> The Council of Europe Convention 108 specifies certain conditions for the processing of personal data and in order for the collection of ethnic data to be legitimate and lawful, these requirements must be fulfilled.

- It is analysed in consultation with the organisations representing minority ethnic groups

**19. Recommendation: that disaggregated data gathered be used to monitor, assess and inform measures taken to improve attainment, retention, attendance and transfer of all students in the education system.**

Any system should include the voice of minority ethnic groups, and Pavee Point has supported the design and implementation of ethnic identifiers in Ireland (for example, with the central statistics office as part of national Census and with HSE services).

#### **4.7. HR and capacity building measures**

##### **TRAINING**

Underlying the above measures identified is the need for DES staff (as well as staff and Board members of all education institutions and agencies that the DES works with) to be fully aware of the context in which Travellers and Roma live in Ireland. Anti-racism and cultural awareness training should be provided and participation should be mandatory, and repeated at regular intervals for staff in the DES and agencies. Such training should include provisions on the experience, situation and identity of Travellers and Roma in Ireland, as well as the policy dimension and how these affect Travellers and Roma. Pavee Point has extensive expertise in the design and delivery of training in these areas.

##### **RECRUITMENT, MONITORING AND ACCOUNTABILITY**

**20. As part of any future recruitment process of staff across the DES and its associated agencies, criteria for employment and job descriptions should include provisions for a commitment to anti-racist and equality perspective. Job descriptions of staff should also reflect this perspective in terms of essential skills.**

**21. The performance management system for the public sector (PMDS) should also include wider criteria in their measurement of performance to include outcomes in terms of progressing equality for Travellers and Roma in Ireland.**

**22. Given the importance of adopting principles of inter-culturalism and equality, we would urge the DES to target the employment of Travellers and Roma in any future recruitment processes. This would enhance the capacity of the agency and include the expertise of these communities.**

##### **POSITIVE ACTION PROGRAMME**

**23. We would also recommend that a positive action measure with respect to any future employment opportunities for Travellers and Roma should be a key policy for the DES.**

As outlined in section 2.1, Travellers and Roma are the most marginalised groups from the labour market, with barriers experienced including:

- Literacy confidence (to a greater extent than literacy problems).

- Educational qualifications – particularly where the Leaving Certificate is an entry level requirement for jobs.
- Ageism – particularly for those older workers who have not had the opportunity to complete the Leaving Certificate.
- Prejudice and racism
- Confidence

As part of this, Recognition of Prior Learning (RPL) needs strengthening, and that any unnecessary barriers or entry requirements for employment are removed, as there is a risk that such provisions may lead to undermined access to employment for Travellers.

There are examples of good practice in positive action for Travellers recruitment in Ireland within the public sector.<sup>19</sup> Drawing on these, and other good practice positive action measures documented by the HSE's Traveller Health Unit (Eastern Region),<sup>20</sup> we recommend a programme for positive action for key positions in the DES.

- Examination of roles and programmes to prioritise positive action measures
- Design of programme and planning (including needs analysis)
- Clear objective for outcomes (across different grades and positions)
- Recruitment processes
- Support in the workplace (and engagement with training providers)
- Progression opportunities (within the organisation)
- Monitoring and evaluation of programme

A staff member should be tasked with the role of coordinating the process and should report to the working group.

#### **4.8. Innovative measures and programmes**

Traveller and Roma representative organisations have the potential to contribute to development of good practice and effective services in Ireland, through exploratory research, piloting and development of initiatives.

**24. We recommend that the DES support innovative approaches, in the achievement of objectives, and work with organisations such as Pavee Point in their development.**

These could include targeted measures and programmes delivered in cooperation with Traveller organisations around retention in education and access to higher education (as outlined in section 3), or other joint initiatives and programmes.

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<sup>19</sup> For example, the civil service internship programme for Travellers, South Dublin County Council and others.

<sup>20</sup> For a model and examples of positive action measures within the HSE and the public sector as a whole, see TSA Consultancy (2007): *Toolkit and Guidelines for the Employment of Travellers in the Health Service Executive*. Dublin: HSE, Traveller Health Unit Eastern Region

#### **4.9. Cultural identity**

Ultimately we believe that Travellers and Roma communities have a right to a cultural identity, and that this should be recognised and reflected in DES strategy development and in implementation measures.

**25. Recommendation: That the cultural identity of Travellers and Roma is recognised by the DES and reflected across all its strategies and their implementation**

#### **4.10. Positive duty**

The legislation for the establishment of the Irish Human Rights and Equality Commission (IRHEC) introduces a new positive duty obliging public bodies to have regard, in the performance of their functions, of the need to eliminate discrimination and promote equality of opportunity and treatment. The new Commission will be explicitly empowered to further support public bodies in meeting their obligations under this positive duty, such as advising on the development by public bodies of performance measures, operational standards and preventative strategies.

The actions proposed in this submission could – if implemented – demonstrate how the DES is meeting its positive duty, and should be adopted in order to demonstrate this legal obligation.