

Report of the North South Roundtable on Traveller Accommodation Policy held in the NCCRI/ SYNERGY Offices, Dundalk Co Louth on 15<sup>th</sup> March 2006.

Present

Donna	Sloan	Women Health Initiatives Tullymacriene Road
David	Quinn	Pavee Na hÉireann/Dundalk Travellers Group
Katie	Reilly	Louth Traveller Support Group
Margaret	Boyle	Derry Travellers Support Group
Connor	Keys	Omagh Traveller Support Group
Paula	Leonard	Donegal Travellers Project
Mary	Conolly	Tara Workshop
Micheal	Quinn	Pavee Na hÉireann/Dundalk Travellers Group
Mary	Harper	Louth Travellers Primary Health Care
Hugh	Friel	Donegal Travellers Project
Joe	Lenaghan	NCCRI
Philip	Watts	NCCRI
Ronnie	Fay	Pavee Point
Paddy	Mongan	An Munia Tober
Deirdre	Brady	Craigavon Travellers Support Committee
Noreen	McGinley	Craigavon Travellers Support Committee
Martin	McDonagh	Craigavon Travellers Support Committee
Ronan	Boyle	Derry TravellersSupport Group
Adele	Hanmill	An Munia Tober
Siobhan	McLoughlin	Donegal Travellers Project
Martins	Collins	Pavee Point Travellers Centre
Derek	Hanway	An Munia Tober
John	Collins	Pavee Point

Apologies

Specifically the Aims of the meeting were to:

- ❖ Exchange information on recent developments on Travellers North and South
- ❖ Examine the gap between stated government policy and the implementation of policy on Travellers, North and South
- ❖ To focus on Traveller specific accommodation as one example of such a gap and to identify possible future strategies
- ❖ To provide a brief outline of policy implementation issues for presentation to the Second North South Intercultural Forum

There were three inputs at the round table, one from Martin Collins Pavee Point, giving a Southern perspective and Derek Hanway and Paddy Mongon, An Munia Tober (Belfast Travellers) reported on the North. An input from a Cross Border perspective was presented by Síobhan Mc Laughlin, Donegal Travellers Project.

## **The Republic of Ireland**

### **National Traveller Accommodation Consultative Committee (NTACC)**

The NTACC is a body established by statute in 1999, with an independent Chairperson and three dedicated officials. This advisory committee also has three sub committees and its agenda has focussed on all aspects of accommodation, from provision to site management.

The committee has 12 members, who are appointed by the minister for the Environment, Heritage & Local Govt. It includes local authority members and officials, reps of Traveller organisations and officials from Gov depts.

Following the Review of the Operation of the 1998 Housing (Trav Acc) Act, carried out by the NTACC in 2004/5, 2 sub committees were established on Transient provision and consultation mechanisms at local level. There is also a joint sub committee with the Dept of Health.

### **Local Traveller Accommodation Consultative Committees (LTACCs)**

These committees were established under sections 21& 22 of the 1998 Act. Local Authorities appoint these committees to advise on the provision and management of accommodation for Travellers, including the preparation and implementation of the Traveller Accommodation Programmes. The membership of LTACCs comprises, Elected reps of the appointing authority; Officials of the appointing authority and Traveller reps

### **Traveller Accommodation Unit**

The Unit was established in 1996 by the Department of Environment, Heritage and Local Government to oversee the implementation of the National Strategy for Traveller Accommodation and the Housing (Traveller Accommodation) Act, 1998. The main elements of this Act are as follows:

- Local Authorities are required, in consultation with Travellers and Traveller representatives, to prepare and adopt by a date specified by the Minister, 5 year programmes to meet the existing and projected accommodation needs of Travellers in their areas.
- Allows for public input to the preparation and amendment of such programmes.
- Obliges local authorities to take the appropriate steps to secure implementation of programmes.
- Requires planning legislation to require planning authorities to include objectives concerning Traveller accommodation needs in their county/city development plans
- Provides improved powers to local authorities to remove temporary dwellings where serviced accommodation is available within one mile.

### **High Level Officials Group**

A high level official's group was established in 2004 'to remove blockages' in the implementation of policy. Traveller organisations continue to highlight that there was no Traveller representation on this group.

In December 2003 at the request of the Taoiseach a High Level Group (HLG) was established under the aegis of the Cabinet Committee on Social Inclusion. Its remit

was to *'ensure that the relevant statutory agencies involved in providing the full range of services to Travellers, would focus on improving the integrated practical delivery of such services'*

The HLG is chaired by an Assistant Secretary in the Department of Justice, Equality and Law Reform and comprises members of the Senior Officials Group on Social Inclusion and other senior public servants.

While Traveller groups have indicated that they welcome any initiative that has the potential to improve the coordination of services, they have expressed continuing concern that no Traveller organizations are represented on the HLG and at the same time structures developed to implement the Task Force Community are no longer being convened. Traveller organisations have advocated the establishment of a Traveller Agency or a Traveller Accommodation Agency to monitor, coordinate and where necessary enforce policy.

### **The Housing (Miscellaneous Provisions) Act, 2002**

This Act was introduced shortly before a general Election, in the wake of a high profile incident of Travellers camping illegally on a social amenity in West Dublin, with attendant publicity on significant litter problems and clean-up costs for the local authority concerned (South Dublin County Council).

The Act, allows for Gardaí to remove caravans, and to allow for the owners to be brought before the District Court charged with Trespass. On Conviction the owners can be fined €3,800 and/or jailed for one month.

Local Travellers Accommodation Consultative Committees have been established by local authorities through the participation of public representatives, officials, Traveller organisations and local resident groups.

### **Recurrent Problems:**

- International bodies including ICERD, ECRI and the Framework Convention on National Minorities continue to highlight major gaps between stated policy and implementation
- Five-year plans have been agreed but there has been little progress in many council areas in providing Traveller specific accommodation
- Travellers groups continue to express strong opposition to the 'Trespass' legislation, pointing out lack of consultation about the legislation through existing bodies established under the Task Force Report, the lack of progress by local authorities in providing for new accommodation and the potential misuse of the Act which was passed to deal with large encampments of Travellers on unsuitable land. This Act is currently the subject of a legal challenge
- A recent commissioned study of the operation of Local Travellers Accommodation Consultative Committees highlighted issues such as poor chairing of the committees, and in some cases no minutes were kept. In other

cases there were no meetings taking place. There was no enforceable code of practice and there were no evaluation procedures of progress in place.

### **Conclusion**

In short while the legislation exists to provide Traveller accommodation there is significant failures in implementation. In 1998 the number of Travellers seeking accommodation was 1200 now the figure is 1400.

When the legislation was enacted in 1998 there was considerable expectation that the issue of accommodation was to be addressed. Lack of powers and sanctions against local authorities in relation to implementation has been the main cause of this problem. In general there has been a piecemeal and limited progress in relation to the provision of adequate Traveller accommodation in the Republic.

There is a general belief that local authorities have reverted to an unofficial policy of assimilation- that the answer to Traveller accommodation is to move them into settled housing.

There is a need to address the inadequacies of the implementation of the 1998 Act. It has been suggested by Traveller organisations that a national agency be created which would either be an accommodation agency (to monitor and enforce policy) or an overall body with responsibility for all areas of Traveller policy would be established through which accommodation would be one responsibility. However, there is no evidence of government support for this. A further solution to the implementation problem would be to beef up existing bodies so they have powers to compel and monitor progress.

In addition to the above legislative difficulties there are other issues that affect Traveller accommodation. There is little consultation in relation to the suitability of accommodation provided to Travellers and the general view was expressed that accommodation lacked any flexibility in relation to standard provision.

In Donegal, Travellers can only be placed on the housing list if they are deemed to be indigenous. Also in Donegal there is very little by way of information flow on local authority planning to local Travellers.

A further development in accommodation has been the recent moves into Traveller accommodation by Housing Associations both North and South of the border. These Housing Associations do not have specific housing policies in relation to Travellers nor is there any clear understanding of their role.

Traveller groups continue to argue that a new (general or specific) agency should be set up to monitor and enforce accommodation policy.

### **Northern Ireland**

Responsibility for Traveller accommodation was transferred to the Northern Ireland Housing Executive in 2002<sup>3</sup>. There are a number of advantages to this strategy and these include;

- Since there is one body to deal with it is easier for Traveller organisations to be clear about who they are dealing with. Furthermore there is one discernable strategy.
- Section 75 of the Northern Ireland Act 1998 promotes equality and good relations between racial groups and in can be used to protect the rights of Travellers. Travellers in Northern Ireland are recognised as an ethnic minority group under the Race Relations (NI) 1998 (as amended). Both pieces of legislation can be utilised to protect Travellers rights and challenging discrimination
- Redress can be found through the Equality, Human Rights and Children's Commissions and they can be used to further specific Travellers issues.
- There is a small population of Travellers in Northern Ireland and consequently they are known to the agencies (NIHE) and its Traveller unit and accommodation issues can be addressed
- NIHE has developed a five year plan in place to address Traveller accommodation needs, although the plan is behind in schedule.
- As with most systems there are weaknesses and these include;
- District councils have absolved themselves of responsibility for Traveller accommodation including transient and serviced sites, often stating that it is not our problem any more
- Within NIHE there is sometimes inadequate expertise in dealing with Travellers and there are problems in planning and developing appropriate Traveller accommodation. They are not quite sure at times how to deal with and communicate with Travellers.
- There is a lack of accurate recording, stats etc held by NIHE at local and central level
- Even though the protection of Section 75 and the Race Relations Order exists there has been little change 'on the ground'
- For the delays in the five year plan there are no penalties or sanctions applied to the NIHE
- There are inconsistencies, sometimes marked, between NIHE central office and local offices and also between local offices in dealing with Traveller accommodation. There is a lack of clarity as to who is responsible for consultation and final decision making
- There is a need to develop best practice in relation to Travellers housing
- ASBO's and Illegal Encampment Order 2005 are being used against Travellers and in relation to ASBO's this is an abuse of the use of these orders. Effectively these orders 'label' Travellers and reinforces their exclusion.
- There are no Transit sites currently available for Travellers in Northern Ireland despite the five year target to achieve this by 2006
- As in the Republic the role of housing associations needs to be explored including a rationale for their involvement

For Travellers organisations there are a number of challenges relating to the scenario in Northern Ireland. These include:

- Travellers could make better use of Equality and Human Rights Bodies

- Generally Travellers could provide solutions to their own housing needs through representation and consultation etc. Traveller organisations could develop best practice models
- Travellers could develop co-op or a Housing Association approach to their housing needs
- There could be an improved Race Equality framework through the Racial Equality Strategy and Race Equality Action Plans

For Government in Northern Ireland there needs to be an increased willingness (through the NIHE etc) to give Travellers what they want in relation to housing and accommodation.

### **The Cross-Border Dimension.**

Problems arise for Travellers when they cross jurisdictions, either between Northern Ireland and the Republic, or between Britain and the Republic. Under these circumstances there are problems with remaining or accessing housing lists (the indigenous question as a means of exclusion from lists).

- There seems to be little cross border co-operation in Traveller accommodation issues even though there are other ample examples of cross border agency co-operation e.g. health.
- There are also difficulties for extended families who live on a cross border basis. There have been examples of agencies using the border to 'rid themselves of the problem' of Traveller accommodation
- There are examples of Northern Ireland Housing Associations moving into Donegal and again their role is unclear.
- There was a suggestion of the need to harmonise policies on a 32 county basis. There was 32 county research undertaken on nomadism but it lacked any meaningful follow up.
- The cross border dimension on the role of the media is important as some Northern Ireland based media groups own newspapers in the South
- The racism experienced by Travellers need to more effectively challenged on a cross border basis, including the possibility of a North/South awareness programme

### **General Summary of Issues**

1. There is a mismatch between existing legislation/policy and successful outcomes for Travellers both north and south of the border
2. There is general sense that senior civil servants are committed to achieving positive outcomes for Travellers but the existing mechanisms to progress Traveller policy have major deficiencies and gaps
3. Because of the slow pace of change, Travellers are once again reluctantly turning to the legal system, particularly in the South to try and ensure movement of site provision by local authorities
4. Attitudes towards Travellers as evidenced in opinion polls exhibits the highest levels of prejudice/racism for any group in Ireland. However this must act as an incentive for action not as an excuse for inaction

5. All stakeholders, including Travellers themselves have a responsibility to ensure that the conditions for policy progress can be met
6. The border has a direct effect on Travellers changing jurisdictions along the border and between the rest of Britain and Ireland
7. There is a need for greater linkages on a cross border basis between NGO's and statutory bodies on Traveller issues, preferably on a partnership basis
8. The potential/complementary role of other social housing providers eg housing associations should be examined
9. In Northern Ireland there is an urgent need to re-establish a network of Traveller organisations
10. New perspective/implementation measures need to be considered by Government and these must inclusive of Traveller organisations

It was agreed that the Round Table should meet again on 7<sup>th</sup> June to consider the issues further.