

NCCRI

**Reported Incidents
Relating to Racism**

May – October 2003

**National Consultative Committee on
Racism and Interculturalism**

NCCRI Report of Incidents Related to Racism May to October 2003

Introduction

In May 2001 the National Consultative Committee on Racism and Interculturalism (NCCRI) established a system for recording incidents related to racism in Ireland.¹ Incidents are analysed and compiled into six monthly reports.² There have been four reports to date. This is the fifth report, which covers the period May to October 2003. The reports aim to:

- Provide an overview of racist incidents reported to the NCCRI in the given six month period
- Draw out the key issues arising from the incidents logged
- Outline how the NCCRI has responded to these key issues
- Make recommendations to a range of relevant actors.

The incidents included in this report have been forwarded by non-governmental organisations on behalf of the victims, including key organisations working with Travellers, refugees and asylum seekers and migrants. Other incidents have been reported directly to the NCCRI by the victims. There are a number of procedures in place by the NCCRI to check the veracity of the reports.

The data that is generated by this reporting system is primarily qualitative and indicative of key issues that need to be addressed. This report does not aim to provide a comprehensive list of every racist incident in Ireland. Indeed evidence from other countries tend to reveal that with all such reporting systems, whether statutory or voluntary, there is likely to be significant under-reporting of incidents. However the NCCRI reporting mechanism plays an important role in complementing other systems such as the Equality Authority casework and Garda records.³

Organisations and individuals reporting racist incidents have also been encouraged to report the incident to the relevant authority responsible for investigating and addressing the complaint, for example, the Gardai (racist crime), the Equality Authority/Equality Tribunal (discrimination in the workplace, discrimination in the provision of goods and services etc.) and local authorities (graffiti, harassment on local authority housing estates etc.). In addition the NCCRI also encourages individuals and organisations to report articles or broadcasts in the national, regional or local media which they consider to be offensive to minority ethnic groups. In a small number of instances, those involved in or reporting the incident only want the incident to be logged by the NCCRI with no further action taken. These requests have been respected.

The NCCRI focus on a policy response to the racist incidents identified. We do not purport to respond to every racist incident reported to our office but to highlight issues such as gaps in service provision and we seek to encourage a national and localised response to incidents.

¹ Reporting forms can be accessed through the NCCRI website www.nccri.com.

² The six monthly reports are also available on our website www.nccri.com/publications.html

³ For official statistics regarding racially motivated crime, see Garda Annual Report 2003 at www.garda.ie

Analysis of Data

- There were 46 racist incidents⁴ reported to the NCCRI between May and November 2003.
- 65% of incidents are reported as occurring in the greater Dublin area
- 9% of incidents are reported as occurring in urban areas outside of Dublin
- 26% of incidents are reported as occurring in predominantly rural areas
- Out of 46 incidents recorded, 19 were experienced by women and 27 by men⁵.
- The majority of incidents were targeted at adults. However children were present for a minority of the incidents. Once again our findings indicate that men, women and children in Ireland are experiencing racism.
- Statistics reveal again that racism is being experienced regardless of someone's legal status. Refugees and asylum seekers, Irish and EU citizens, including Travellers and non-EU citizens are experiencing racism in Ireland. These can include students or people visiting Ireland as tourists.
- 14 different nationalities have been identified as experiencing racism in this six-month period.

Number of Incidents reported

Report	Period Covered	Number of Incidents Reported to the NCCRI
1	May 2001-October 2001	41
2	November 2001- April 2002	40
3	May 2002- October 2002	67
4	November 2002-April 2003	48
5	May 2003 – October 2003	46

The incidents reported relate to three main areas, which are:

- Assaults, abuse and harassment
- Delivery of public and private services
- Misinformation and circulation of offensive material

1. Assaults, Abuse and Harassment

Racist abuse and harassment and other forms of cultural disrespect was the most common form of incident reported to the NCCRI. There were also a number of serious assaults that took place that are highlighted in this section of the report.

⁴ Multiple reports about one incident are regarded as one racist incident in this report.

⁵ Remainder not specified or an incident was directed at a group of persons

Examples

1. A complaint was lodged by the health services on behalf of a Nigerian couple and their two small children in the west of Ireland. The family were victims of daily harassment since they moved into their house one year ago. The harassment included neighbourhood children spitting and throwing water at them, racist comments as well as their living room window being smashed by a stone. The Gardai in the area were contacted regarding the incidents but in the end the family decided to move out of the area.
2. An abusive message was left on the answering machine of a refugee support centre in Dublin. The message accused the centre of “trying to hoist all these foreigners in on top of us” and made references to Ireland as a country for the Irish.
3. A Nigerian woman received a threatening and abusive letter, of a racial and sexual nature, through her door. The incident was reported to the Gardai.
4. A refugee support centre in Dublin reported a violent incident on behalf of a male South African student. The man described how three white men between the ages of 15 – 21 attacked him. Racist remarks were made. The incident was reported to the Gardai.
5. A woman in Dublin was a witness to racist verbal abuse directed at a man of Indian origin. The racist comments were from an Irish man, whom the woman approached and reprimanded. She threatened to call the Garda and the Irish man left the scene immediately upon being challenged.
6. A group in Portlaoise reported an incident involving an African refugee family and their neighbour. The incident occurred when their neighbour accused the complainant’s son of scratching his car. The neighbour verbally harassed the family and threatened that he would get them deported. The neighbour also said that he would inform the landlord of the incident. The family were very distressed and ended up leaving the area.
7. A community support agency working in the area of anti-racism forwarded a message they had received about a racist website. The web page posted a threatening suggestion that the car registration numbers of staff at the agency should be taken and personal interviews should be held with a number of them. As a result the agency no longer advertises their meetings on the web. No further threats have been received.
8. A Dublin-based organisation reported that a Romanian family had suffered ongoing abuse in their home in a Dublin suburb. The harassment included verbal abuse, throwing of stones and writing offensive graffiti on their house. A German man and his female Dutch neighbour reported ongoing harassment at their homes in a border town by certain members of the community. The abuse includes racist comments as well as damage to their property. The incidents were reported to the Gardai.
9. A couple in a rural area were verbally abused by a member of the community. The perpetrator told them in abusive language to get back to their own country and was spotted prowling around their property. The abuse was reported to the Gardai.

In July the Irish Times reported a warning that was issued to overseas students from a Dublin language school to avoid the city centre at night following a number of unprovoked attacks on non-Irish nationals. The report explains how concerns about violent assaults on visiting students was heightened the day before as a 17-year-old Spanish student was attacked on Dublin's O'Connell Street and also after a vicious attack of a Swedish man in Co. Wexford. At the beginning of October it was also reported in the newspapers that three people had been fined after they racially abused Black ticket-checkers in Dublin railway stations.

2. Delivery of Public and Private Services

There have been a number of incidents reported to the NCCRI in relation to the delivery of public and private services. The following serve as examples:

(1) Public Services

1. A Liberian asylum seeker was wrongly arrested for stealing a wallet in his local shop in the northwest and was detained for up to an hour by the Gardai. The Gardai said that the woman, whose wallet was stolen, suspected him because he was the only Black person in the shop at the time. He later returned to the Garda station to make a complaint about the arrest but was sent away and told that it was a civil case and that he needed a solicitor. He said that the Gardai refused to discuss the incident any further.

2. A member of the Traveller community, who went into a Garda station in Dublin city centre to get a form, was called a derogatory term for the Traveller community, refused the form and told to leave the station. He returned to the station the next day to report the incident but received more abuse from officers there. The Garda Racial and Intercultural Unit arranged a meeting between the victim and the inspectorate and a satisfactory conclusion was reached whereby the victim received an apology.

3. A Zimbabwean man made a complaint regarding a claim of false arrest in his home in County Kildare. The man described the incident where a Garda entered his home uninvited, was abusive to him and finally arrested and charged him with breaching public peace and order. He also stated how, during his numerous court appearances, the Garda in question changed her charge to assault. The incident has been reported to the Equality Authority and the Garda Complaints Board.

4. A male Congolese asylum seeker reported that an immigration officer, for no apparent reason, took his driving licence from him while in a car park in Dublin Airport. When the man went to the immigration office to retrieve it he was told to come back at a later date and three days later the officer in question also took his mobile phone and bankcards. The man was accused of being a liar and a fraudster. The complainant also says that the officer closed his bank account.

5. A British man reported that two Garda in Co. Wicklow assaulted him. He explained how he was arrested and charged with a public order offence and suffered physical and verbal racist abuse. The man reported the incident to the Garda Complaints Board.

6. A refugee and his Irish friend both applied for a nursing course in a third level institution. Although he had better qualifications than his friend for the course in question, he got refused and his friend got accepted. After lengthy negotiations with

the educational institution in question by the refugee and other concerned individuals and organisations, he finally got on his chosen course.

In August the Irish Examiner reported that human rights groups had demanded that allegations of racial abuse of asylum seekers and refusal to accept asylum applications, by members of the Garda National Immigration Bureau must be immediately investigated. A couple claimed that when they arrived in Ireland an immigration official said “God, more jungle bunnies” and “don’t give me that crap”, when they asked for asylum.

(2) Private Sector

1. An Irish woman reported that her son, who is Black, was refused entry to a restaurant in Dublin city centre. He had been looking for a table and was accused by members of staff of pushing people. The woman questioned customers and none of them had seen her son, who was on crutches, push anyone but had witnessed him being shoved out of the restaurant.
2. An Irish-Nigerian woman was asked irrelevant and inappropriate questions about her background and identity whilst being interviewed by a bank official. The woman, who was applying for a business loan, reported the incident to the bank but felt that the response was very unsatisfactory. The bank stated that the official in question had been spoken to, but that nothing further would happen.
3. A Nigerian man described how a number of Gardai had approached him after he had collected a substantial amount of money from a bank at Dublin Airport. The Gardai said that they suspected him of laundering money and wished to arrest him. The man showed them his passport and driving licence and was subsequently let go.
4. A Nigerian woman was subject to verbal abuse by a staff member of her local post-office in Dublin. The woman, who tried to pay for a bill with €35 in notes and €45 in coins, was told that the queue was too long and that an Irish person would never come with that many coins. The assistant threw the money back at her, said that she would report her to the Gardai and that she would never be allowed to use the post office again, nor would any of “her kind”.
5. Two Zimbabwean men were refused entry into a night club in Dublin. The bouncer refused to give a reason for their refusal. A member of a Traveller organisation in Dublin reported how six Traveller women were refused entry to a bar in Co. Dublin. The women were told that it was regulars or reservations only. They were told that they could wait for two hours but would not be served any food or drink, even though one of the women was pregnant.

In September the Irish Times reported that a Korean student living in Ireland claimed that she was treated unfairly when she was refused admission to a college in Dublin. The student was told that the course she applied for was ‘full’ but when the Irish Times phoned up they were told that there was still more places left. The college stated that it was a misunderstanding and that she should have been told that her English was not good enough rather than being told that it was full.

3. Misinformation and the Circulation of Offensive Material

Racist and offensive e-mails, letters and texts continue to be sent to organisations working against racism. The NCCRI received four pieces of correspondence from

individuals, a couple of a threatening nature which were forwarded to the Garda Racial and Intercultural Unit. There were also cases of offensive articles appearing in local newspapers and newsheets.

Regarding racist websites one was brought to the attention of the NCCRI. The website, which claimed to be a forum for “European Cultural, Racial and Spiritual Preservation” appeared to originate on a Dublin college website. A letter was written to the college to inform them and the college treated the incident in a very serious manner and undertook to investigate the matter and take action against the perpetrator.

The Media

The role of the media in Ireland has been both positive and negative in its reporting on ethnic communities living in Ireland and it is expected that the forthcoming National Action Plan Against Racism will recognise its important role. Although the media has aided an understanding and awareness of key issues of public concern there have been examples of irresponsible media reporting that can contribute to the labelling of certain communities such as refugees, asylum seekers, migrant workers and Travellers. In this six-month period there were again examples of sensationalist articles about minority ethnic groups which may have had the potential effect of reinforcing negative terminology.

Public Representatives

The NCCRI received a complaint regarding an independent local councillor in the Dublin area who circulated a press release to his constituency regarding asylum seekers and refugees which contained numerous myths and misinformation about this group in an effort to gain popularity in his area. He claimed that Irish people were being treated as second class citizens to immigrants and this will only “sow the seeds of racial unrest in future years”. The NCCRI wrote to the councillor in question and the relevant County Council but it has received no response to date.

A letter to the editor was very critical of the remarks made by a Dublin TD in response to the Irish Times survey of Irish young people. The TD claimed that as a result of Ireland's growing multicultural society, young women, being more attracted to exotic foreigners, are exposing themselves to all sorts of STDs.

4. Recommendations

The forthcoming National Action Plan Against Racism (NPAR)⁶ advocates protection as one of the Plan's strategic objectives, enhancing protection against racism, including a focus on combating discrimination, assaults, incitement and abuse. It is important for targeted actions arising out of the NPAR to take account of the intersection between racism and other forms of discrimination such as gender, age, disability and sexual orientation.

The NCCRI would make the following recommendations based on an analysis of reported racist incidents May to October 2003:

⁶ See National Action Plan Against Racism Steering Group; *Diverse Voices: A Summary of the Outcomes of the Consultative Process and a Proposed Framework for the National Action Plan Against Racism*. Stationery Office. July 2003 at www.justice.ie

- The existing protection against assaults, incitement, verbal abuse and dissemination of material motivated by racism needs to be reviewed and enhanced as a matter of urgency. Current legislation outlawing incitement to hatred in the State and other relevant criminal legislation needs to be strengthened so that it is adequate in scope and that it provides for effective, proportionate and dissuasive sanctions.⁷
- Any review of existing legislation should cover the public dissemination of racist literature including the circulation of racist emails and should also seek to protect people against new forms of racism, such as racism through the Internet. This may possibly come within the remit of the Internet Advisory Board and could be tackled at EU level.
- The role of the Gardai is key in providing protection to minority ethnic communities as is the ongoing work of the Garda Racial and Intercultural Unit and Garda ethnic liaison officers. It is important that the National Crime Council ensures a specific focus on tackling racist crime, consulting closely with minority ethnic groups and expert and specialised bodies. The protection against assaults and abuse should be monitored and proofed to ensure that they are fully inclusive of the experience of minority ethnic women.
- The NCCRI also welcome the introduction of the new Garda Bill 2004. While it is important to highlight the excellent work that has been done in building up relationships with minority ethnic communities within An Garda Síochána, there have been complaints in this and previous reports alleging Garda as perpetrators of racist incidents or inaction or lack of response by Garda to reports of racially motivated attacks. Certain provisions of the new Bill will assist in alleviating this concern.
- The NCCRI welcome the recent data published by the Gardai on incidents motivated by racism.⁸ There is a need to enhance continuing efforts to record racist assaults and other manifestations of racism occurring in Ireland as an important way of planning more effective and targeted actions in tackling all forms of racism. This can be achieved through official crime and victim surveys and through Garda annual reports with an analysis of key trends.
- There need to be a multi-agency response to the issue of racism in both the local authority housing and residential sector, consistent with recommendations in the NPAR.
- The need for continuing anti-racism and intercultural awareness training for all sectors and the development of a whole organisation approach to designing and implementing an anti-racist and intercultural strategy.
- There is a continuing need for sections of the media, in particular local and regional media not to engage in sensationalising issues while respecting their right to report what is in the public interest. In particular more context and background should be provided where possible and to be careful not to label

⁷ Relevant criminal legislation include Prohibition of Incitement to Hatred Act 1989, Offences Against the Person Act 1997 and Public Order Act 1994

⁸ See Garda Annual Report 2003 at www.garda.ie

particular communities or compound myths and misinformation and confuse terminology.

- The need to continue to challenge the small number of local politicians who make generalised, emotive and derogatory comments about minority ethnic groups especially in light of the forthcoming local elections. It is important for the political parties that have signed up to the Anti-Racism Protocol for Political Parties to monitor their candidates adherence to its contents.
- The need for a comprehensive and modern immigration and residency legislation.⁹ Any forthcoming legislation should be equality 'proofed' to ensure that it is non-discriminatory across the nine grounds identified in the equality legislation and that it takes into account the provisions of the National Action Plan Against Racism.
- The NCCRI welcomes the publication of the Equality Bill 2004 which seeks to further enhance existing equality provisions. This is important particularly in light of the fact that discrimination on the grounds of race continues to prevail in the provision of goods and services, both public and private and in the employment field. However it is regrettable that as a result of the Intoxicating Liquor Act 2003, that complaints against licensed premises under the Equal Status Act 2000 will be heard by the district court and not by the Office of the Director of Equality Investigations (ODEI). This transfer of jurisdiction will likely result in making redress more inaccessible to people seeking to take cases under the Equality legislation in relation to licensed premises. The refusal of access and related problems have been highlighted in previous NCCRI racist incidents reports.

⁹ According to the Government's Legislation Programme, Spring Session 2004, published on 25 January 2004, an Immigration and Residence Bill is due to be published in 2004.