

# spectrum

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The Journal of the National Consultative Committee on Racism and Interculturalism



## **What is the NCCRI?**

The National Consultative Committee on Racism and Interculturalism (NCCRI) was established in 1998. The role of the NCCRI is to act as an expert body to develop an integrated and strategic approach to racism and its prevention and to foster interculturalism within Ireland. It also seeks to inform policy development and to build consensus through dialogue in relation to the issues of racism and interculturalism. It is core funded by the Department of Justice, Equality and Law Reform. Spectrum is a publication of the National Consultative Committee on Racism and Interculturalism.

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Cover Photograph: Derek Spiers  
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NCCRI has recently appointed three new staff.

### **Fiona McGaughey, Research and Policy Officer, NCCRI**

Fiona McGaughey is Research and Policy Officer with the NCCRI. Fiona has an honours degree in Law with French from Queen's University of Belfast and Université de Bourgogne in France and Masters in Human Rights Practice from University of Perth. Her previous post was substantive equality project officer with the Equal Opportunity Commission in Perth where she was also a board member of the Centre for Advocacy Support and Education for Refugees. She was coordinator and editor of the Australian NGO report to the CERD and formerly worked in the private sector in Dublin in Andersen Consulting and Smurfit Europe.

### **Atinuke Achioya, Administrative Officer, Synergy Project, NCCRI**

Atinuke Achioya is one of the founding members of the Louth African women's Support Group (LAWSG) and the pioneer of the group's drama outfit, she is also a member of the Louth County Community and Voluntary Forum. She holds diplomas in Architecture and Community Drama. The NCCRI Synergy project is based in Dundalk.

Atinuke recently received an award from the United Nations Refugee Agency on Art and Culture in recognition of her contribution to Louth African Women's Support Group (LAWSG) as the secretary and for her role in the integration of women with the society through drama.

### **Kate Morris, Information and Communications Officer, NCCRI**

The NCCRI has recently recruited a new information and communications officer, Kate Morris, who will commence in January 2006. Kate has a BA in History from UCD and Masters in Communication from Dublin City University. She is presently employed by Educate Together as Communications Officer and was previously employed by Dun laoghaire Council and the National Museum of Ireland in education and communications roles.

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# Editorial: Traveller Focus week

Phillip Watt, Director, NCCRI

The focus of this edition of Spectrum is on Travellers to coincide with Traveller Focus Week, an initiative of Pavee Point, the Irish Traveller Movement and the National Traveller Women's Forum in association with the National Action Plan Against Racism (NPAR).

The articles in this edition focus on key issues such as Traveller accommodation, employment and education policies and include a review of the media coverage in the Ward/Nally case.

The demonisation and labelling of Travellers in the aftermath of the Ward/Nally case was a matter of deep concern to the NCCRI. It confirms that Travellers remain one of the most marginalised groups in Irish society and it confirms the extent of racism that they can experience. It is to be welcomed that some objectivity and balance has now entered the public and media discourse on this difficult and disturbing case.

The importance of Traveller Focus week becomes even more significant as a result of these recent events. The Ward/Nally case



Photography by Derek Spiers

should not be allowed to overshadow the many positive developments that have taken place in recent months, including:

- The forthcoming Traveller Education Strategy
- The roll out of the Traveller Health Strategy
- The commitments in the National Action Plan Against Racism
- The awarding of one of the People of the Year Awards to Daithi Joyce, for his work for many years in advancing the rights of Travellers and the first Traveller to become a barrister in Ireland
- The ongoing work of the national and local Traveller organisations in often difficult and challenging circumstances
- The commitment of many in the public service

In noting and acknowledging these developments, it is important to also note the concerns and observations of not only Traveller organisations but also international treaty bodies, including the United Nations and the Council of Europe in respect of progress and lack of progress on Traveller policy:

## **The United Nations Committee on the Elimination Of Racial Discrimination (CERD) Concluding Observations (2005):**

'While noting the efforts made so far by the State party with regard to the situation of members of the Traveller community in the field of health, housing, employment and

education, the Committee remains concerned about the effectiveness of policies and measures in these areas'. (article 5(e))

'The [United Nations CERD] Committee encourages the State party to work more concretely towards recognizing the Traveller community as an ethnic group.... And recommends to the State party that it intensify its efforts to fully implement the recommendations of the Task Force on the Traveller community, and that all necessary measures be urgently taken to improve access by Travellers to all levels of education, their employment rates as well as their access to health services and to accommodation suitable to their lifestyle.'



Photography by Derek Spiers

## **The Framework on National Minorities Resolution (2004):**

'Increasing efforts have been made, since the 1995 Report of the Task Force on the Travelling People, particularly at central level, to improve the situation of persons belonging to the Traveller community. Notwithstanding these efforts, much

remains to be done in the implementation of the Framework Convention, in particular in areas covering accommodation, education, employment, health care, and access to certain goods and services by members of the Traveller community. Gaps also remain between central policy and its successful implementation at local and national levels.’<sup>1</sup>

**The Council of Europe body ECRI Second Report on Ireland (2003):**

‘One of the main barriers to improvement of the situation as regards accommodation is reported to be the unwillingness of local authorities to provide accommodation and resistance and hostility among local communities to planned developments, often resulting in injunctions and court cases. In this respect, it has been commented that the fact that no sanctions are provided for in the Housing (Traveller Accommodation) Act against authorities who do not take measures to provide accommodation for Travellers may weaken its effectiveness.’



Photography by Derek Spiers

**Conclusion: The need to Develop a Traveller Agency**

In short, there remain major gaps between agreed policy and implementation of such policy notwithstanding the progress that has been made in specific policy areas. Pavee Point has recently presented a number of options for consideration by the Department of Justice, Equality and Law Reform in relation to a Traveller Agency to meet the gap between agreed government policy and its implementation on the ground. The Irish Traveller Movement has called for a similar agency to focus on the implementation of accommodation policy. Both proposals have their own merits and should be given further consideration by Government. An important starting point would be to recognise Travellers as an ethnic group, in line with the recommendations of the UN CERD Committee.

<sup>1</sup> European Union. Resolution ResCMN(2004) on the implementation of the Framework Convention for the Protection of National Minorities by Ireland



# Travellers and Education; Moving Forward

Jane Rooney, Education Coordinator of Pavee Point



Traveller participation rates in education have improved in recent years but education disadvantage remains high.

Photography by Derek Spiers

## Current Context

Traveller's educational status is considerably lower than that of their settled peers. The Census in 2002 revealed that for 54.8% of Travellers, primary school education was the highest level of education they obtained and that 63.2% of Traveller children under the age of 15 had left school.

Why have Travellers fared badly in Education? The reasons for this are many and complex with external and internal factors at play. In the past education policy promoted a segregated model of provision. In practice this meant that in many schools Travellers were placed in special all-Traveller classes with one teacher who catered for all Traveller children regardless of age in one classroom.

It can be argued that a contributing factor to the low levels of attainment of Travellers in Education is the lack of visibility of Traveller culture within the school system. This may contribute to feelings of isolation experienced by Traveller children. It is very important for all children to feel confident and positive in their own identity in school. Unfortunately

many Traveller children are aware that their identity will pose a problem for them in school.

Furthermore it is difficult for Travellers to see the positive outcomes in staying on in mainstream Education as many Travellers experience discrimination in trying to obtain employment.

Underpinning all of the above is the situation that many Travellers find themselves in which includes poor accommodation and sometimes appalling living conditions, poor health and the experience of widespread prejudice and discrimination. All of these factors combine to create a particular set of circumstances that militate against many Travellers participating fully in education.

## Traveller Education Strategy A New Vision to the Future

A Traveller Education Strategy has been drafted by members of the Advisory Committee on Traveller Education and the Education Disadvantage committee. This

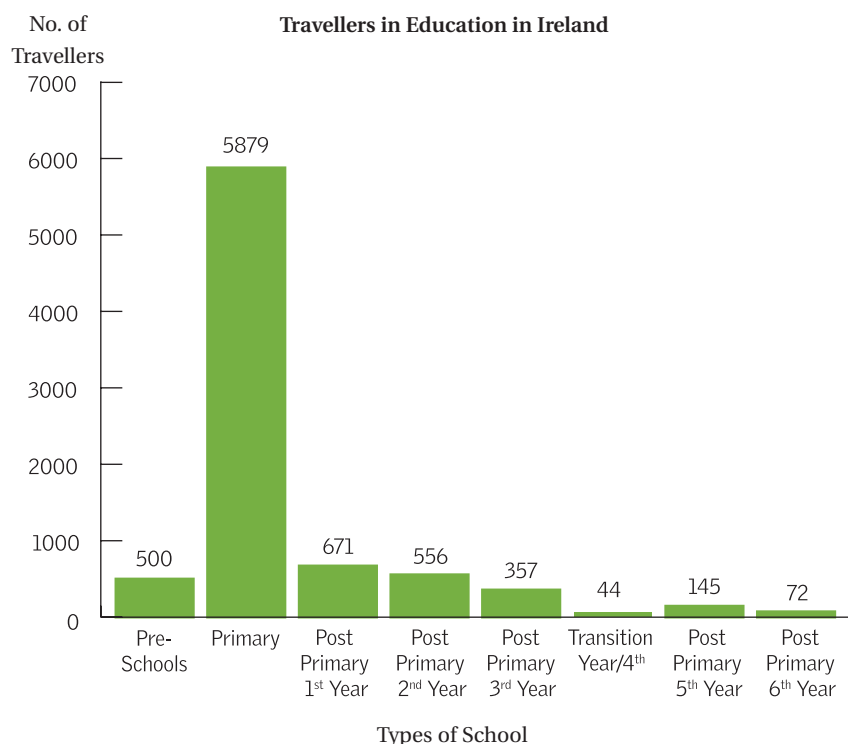
included representation from Traveller Organisations (Pavee Point, Irish Traveller Movement and the National Traveller Women's Forum), Teachers Unions and School Management Authorities.

The main objective of the Traveller Education strategy will be to ensure that Travellers are given the opportunity to benefit from an inclusive education system and gain equality of access, participation and outcomes.

The Strategy maps out the way forward in relation to Traveller Education, taking into account the complexity of the issues involved, the history of provision and existing measures. It marks out the challenges for the future and clearly identifies ways to approach these challenges.

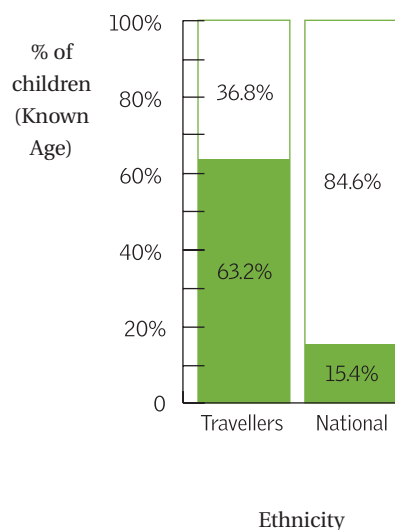
Pavee Point hope that over the lifespan of the Strategy, significant developments in Traveller Education will take place such as:

- Traveller children will have access to an inclusive, well-resourced, well-managed, high quality early childhood education provision.



Source: Department of Education and Science Estimates for 2004/2005

**Children under 15 whose education has ceased**



Source: Census 2002

- All children will be educated in mainstream provision in an integrated, inclusive, intercultural, anti-bias environment.
- Educators will be equipped to positively promote Traveller Culture in Educational Settings, and furthermore that interculturalism will be a core part of educators' training.
- That Traveller parents will not experience difficulties in enrolling their children in schools.
- That the Education system is accessible and meets the needs of Travellers who are nomadic.
- That the transfer rate and retention of Travellers to post-primary will dramatically increase.
- That more Travellers will access Third Level Education.
- That increased support is given to improve the capacity of Traveller parents to support their children's (and their own) education.

#### A Challenge to all

The development of the Traveller Education Strategy involves the commitment of all players. It involves all levels within the education system, parents, children and the community itself. It is vital that the Traveller Education Strategy brings a focus on equality/anti racism to the fore at all levels of the system, from the formal to non formal sectors. This will involve leadership as new challenges are met and new ways of thinking and behaving evolve.

Education should be about liberation and Pavee Point sees the Traveller Education Strategy as providing new hope for Travellers. It is also vital that throughout the implementation process, Travellers are at the centre of monitoring and evaluating the implementation of the strategy.

# Travellers, Employment and the Labour Market

Bríd O'Brien, Pavee Point

## Bríd O'Brien from Pavee Point discusses how recent changes in the labour market in Ireland have both helped and hindered Travellers accessing employment in Ireland

The labour market has changed enormously since the mid 90s when Pavee Point Travellers Centre conducted its first piece of research into Travellers access to the mainstream labour market. This research was entitled '*Traveller Inclusion in the Mainstream Labour Market*' and explored the employment potential for Travellers in the provision of services to their own community. The particular sectors identified for employment development were education, health and youth/community work which mirrored responses Traveller organisations had developed.

In 2000 Pavee Point commissioned its second piece of research on this theme. Given the radically changed economic climate this piece of research, entitled '*Jobs Vacancies...Vacant Jobs, Travellers Inclusion in the Mainstream Labour Market*', identified some different issues including:

1. Travellers' interest in successfully accessing employment – which ran contrary to popular myth;
2. The reality of discrimination in the labour market, which was masked in the earlier research by the levels of unemployment and the demand for formal qualifications. The issue of identity came up in this regard and a number of interviewees talked about hiding their identity to gain access to employment;
3. The acknowledgement that legislation alone will not resolve the issue of discrimination and that pro-active measures will be required; and,
4. The implications of the lack of recognition for existing skills and the low levels of education amongst Travellers for access to sustainable employment.

### What the Census 2002 said

The information collected through the Census highlighted the immense scale of the problem. For example, unemployment amongst Traveller men is 73% in comparison to a 9% national figure; and it is 62% for Traveller women in comparison to a national figure of 8%. Some agencies dealing with employment services have noted that Travellers make up the vast majority of the long term unemployed in their local area.

The most common types of work Travellers engage in according to the Census are:

- Personal service and childcare services: 9.3%
- Sales: 9.0%
- Building and construction: 5.8%
- Other manufacturing: 2.7%
- Communication, Warehouse and Transport: 2.7%

What is not immediately apparent from these figures is that most of this employment falls into two main categories:

- That provided by the community sector funded through public monies; or
- That dependent on low-paid/low skilled employment in an expanding economy i.e. the 'last in, first out' type of employment.

### Self employment as a response

The Traveller economy is the term used to describe work Travellers initiate themselves. The range of activities Travellers have undertaken has changed over time as the economy developed. In the current climate of increasing regulation, Pavee Point is particularly concerned that this ability to adapt will be insufficient to avail of new opportunities that are emerging. The dynamic is further compounded by the lack of recognition of Travellers contribution to Ireland's economic development.

At present FÁS has €0.5m to respond to Travellers economic exclusion. Four pilots are currently underway. These initiatives are welcomed, however, it is too early to say how successful they will be given the systemic nature of the issues to be addressed.

### In conclusion

So what needs to happen to lead to greater economic inclusion of Travellers? A crucial starting point and one that has proven to be very challenging is the issue of cultural diversity. There are two aspects to this:

- There is resistance at the philosophical level to acknowledging Travellers' culture and identity;
- There is a lack of capacity to translating such an acknowledgement into practice on the ground.

A systematic approach is required to address these issues and it should:

- Target Travellers as participants in local economic development;
- Talk with the Traveller community about emerging opportunities;
- Ascertain how to further develop what is currently happening;
- If this is not a runner identify new opportunities;
- Identify Travellers strengths and weaknesses in this regard;
- Plan how the strengths can be built upon and the weaknesses addressed;
- Break down existing barriers and seek to eliminate them in a coherent fashion;
- Feed the lessons arising back into policy and practice development so that the progress is mainstreamed;
- The drawing up of a Traveller employment and training strategy as envisaged in the National Action Plan Against Racism and which was called for in Pavee Point's Traveller Shadow Report to CERD ([www.paveepoint.ie](http://www.paveepoint.ie)).



# Daithi Joyce honoured in People of the Year Awards



Daithi Joyce with Fr. Peter McVerry and Sean Kelly at the People of the Year Awards.

NCCRI sends its warmest congratulations to Daithi Joyce has been awarded a Rehab/ESB People of the Year Award. He has been a human rights activist for over 10 years and to the fore in the campaign for justice for Irish Travellers. In October of this year, Daithi graduated from Kings Inns as a barrister, making him the first Traveller to become a barrister in Ireland. Along with his many other roles Daithi has represented the Irish Traveller Movement on the NCCRI Partnership and has made an important contribution to the work of the NCCRI. His background is in community development and he holds a third level diploma from NUI Maynooth in Community Work. Married to Rosie, Daithhi has three children David, Claire and Bernard who must be very proud of their father.

# Housing and Accommodation of Travellers:

## From Assimilationism to Multi-culturalism and Back Again

Michelle Norris and Nessa Winston

Michelle Norris and Nessa Winston, lecturers in the School Of Applied Social Science in University College Dublin provide an overview of approaches adopted by Government towards Traveller accommodation from the early 1960's to 2003

### Introduction

The quality of accommodation inhabited by many Travellers is widely acknowledged to be extremely poor. In 2000, one in four Traveller families lived in caravans on unofficial encampments without access to water, toilets and refuse collection and this substandard accommodation has been identified as one of the principal causes of their poorer health status and lower life expectancy compared to the settled population. Since the 1960s a series of government policy initiatives have endeavoured to resolve the issue of Traveller accommodation. This article charts the changing conceptualisation of Travellers in these statements, together with the housing and accommodation policy initiatives devised on this basis. It reveals that, accommodation output has generally failed to meet central government targets and has consistently failed to reduce the numbers of Travellers living in unofficial encampments. Furthermore, the type of accommodation provided has often been at variance with central government recommendations.

### Traveller Accommodation Policy Developments Since 1963

#### *The Commission on Itinerancy, 1963*

The problematization of Travellers is explicit in both the name of the Commission on Itinerancy with its overtones of vagrancy and criminality, and in its terms of reference, which highlighted the 'problem arising from the presence in the country of itinerants in considerable numbers'. As is the fact that assimilation of Travellers into settled society is the preferred solution to this problem. Thus, the Commission was tasked with considering '... what steps might be taken to promote their [Travellers] absorption into the general community'.

The Commission report identified the provision of standard houses for Travellers as a vital precursor to assimilation, as well as the most effective way of meeting their accommodation needs and

preferences. To achieve this objective it recommended the removal of all barriers to the letting of local authority rented dwellings. Where Travellers would not accept houses or where there was insufficient housing available, the Commission recommended that subsidies should be introduced to enable local authorities to construct 'serviced' campsites with water, sanitation and electricity for long-term use by Travellers and short stay 'unserviced' campsites without these amenities for highly mobile families. However it emphasised that '... the provision of these sites should only be the first step of stabilisation' in a policy aimed at eventual housing of their occupants and it also recommends that unauthorised camping by Travellers near these official halting sites should be made an offence subject to stringent penalties, including imprisonment.

#### *The Travelling People Review Body, 1983*

In contrast to its predecessor, the Report of the Travelling People Review Body acknowledged that 'the concept of absorption is unacceptable, implying as it does the swallowing up of the minority traveller group by the dominant settled community and the subsequent loss of traveller identity', and argued that 'it is better to think in terms of integration between the traveller and the settled community'. At the same time, the report explicitly stated that Travellers are not an ethnic group, so therefore it failed to acknowledge the role, which wider structural factors play in forcing Travellers to conform to the norms of settled society and discounted the need for supports for Traveller culture to be put in place to address this structural inequality.

The influence of this self-contradictory analysis is manifest in many of the Review Body's recommendations on Traveller accommodation. For instance, it recommended that local authorities should provide serviced halting sites for those who do not wish to live in houses. However, it emphasized that halting sites should be kept to a minimum level necessary to provide for Travellers who would find the transition to a house too radical. In order to achieve these objectives the Review Body recommended



Photography by Derek Spiers



Photography by Derek Spiers

that local authorities should be required to devise plans to provide accommodation for all Travellers resident in their areas and to implement these plans over five years. In some cases, housing for Travellers could be built in small clusters known as group-housing schemes to enable extended families, which are a key feature of Traveller culture, to live in close proximity. Both of these recommendations were subsequently implemented by government.

#### *The Task Force on the Travelling Community, 1995*

The approach to Traveller issues adopted by the Task Force on the Travelling Community differed from that of its two predecessors in a number of respects. Most significantly, it acknowledged that the Traveller language, economy and nomadic way of life indicate that Travellers have a distinct culture, which is of equal value to that of the settled population and should be supported by public policy. In addition, it emphasized the need to address the inequalities encountered by Travellers in accommodation, education and health and that inequality is often the result of discrimination and hostility towards Travellers on the part of the settled population. Thus its analysis of Traveller issues is multiculturalist in orientation.

Unlike its predecessors, this report did not identify the type of accommodation most appropriate for Travellers but instead argued that both standard housing and Traveller specific accommodation will be required, depending on Traveller needs and preferences. The former would consist of mainly local authority housing while the latter should include group-housing schemes, and halting sites. Its recommendations on halting sites also differ significantly from those made in the earlier reports and constitute one of the most important expressions of its commitment to active support for Traveller culture. It recommended the provision of both long-stay halting sites and of a national network of short stay or 'transient' halting sites to provide for Traveller nomadism. Several of its recommendations were legislated for in the Housing (Traveller Accommodation) Act, 1998 which requires local authorities to prepare five-year Traveller accommodation programmes, and

establishes mechanisms for consulting Travellers at both national and local level on their content.

#### **Traveller Accommodation Policy Outcomes Since 1963**

Following the publication of the Commission Report in 1963, progress in the provision of accommodation for Travellers was mixed. After a hesitant start in the 1960s, the early 1970s saw an acceleration of activity by local authorities in this regard, but output tapered off again in the late 1970s. As a result of this activity, 957 Traveller families occupied houses in 1980 as compared to 56 in 1960, and a further 384 families lived in local authority halting sites in 1980, whereas no Traveller lived in such accommodation in 1960. However this level of output insufficient to meet growing Traveller accommodation needs arising from a steady growth in population. As a consequence, 1,149 families lived on the roadside in 1980 – virtually the same as the number as in 1960.

Although the Review Body report complains that local authorities countrywide were unwilling to provide the halting sites for transient Travellers recommended in the 1963 report, considering the strong preference for standard housing expressed in the latter document, the relatively high level of output of halting sites in the two decades after its publication is unexpected. Moreover, this development runs counter to contemporary housing policy trends. The period 1960 to 1980 saw the highest level of output of local authority housing of any period since the foundation of the State, which would suggest that more of it might have been used to accommodate Travellers in preference to halting sites.

Progress on the provision of Traveller accommodation following the publication of the Review Body report was also mixed. The number of families accommodated in halting sites increased significantly during the 1980s, particularly in the second half of the decade when this group almost doubled in size. In addition, the number of families in group-housing schemes rose from 0 in 1981 to 233 in

1990. These extra units of Traveller specific accommodation surpass the target set by the Review Body; however, the picture worsens significantly when the supply of standard local authority houses to Travellers is taken into account. Between 1981 and 1992 the number of additional Traveller families residing in dwellings of this type grew by only 489, even though the Review Body had recommended that 1,380 additional standard houses be supplied between 1982 and 1987. The low level of local authority tenancies granted to Travellers following the 1983 report is surprising considering that the number of households on social housing waiting lists fell by 36 per cent between 1981 and 1988 which implies that this type of housing should have become easier to access during this time. This limited Traveller accommodation output, coupled with a doubling in the size of the Traveller population during the 1980s resulted in a situation where 1,132 families were living in unofficial encampments in 1990, only 17 fewer than ten years earlier.

By 2003, 41 Traveller accommodation programmes had been adopted by local authorities countrywide which collectively identified the need an additional 3,600 units of Traveller accommodation between 2000 and 2004, together with plans for their supply which, if implemented, would meet the targets set by the Task Force. Despite this progress, however, the *First Report* of the committee established to monitor the implementation of the Task Force complaints that relatively few of the planned accommodation units have actually been delivered (Department of Justice, Equality and Law Reform 2000).

Between the publication of the Task Force report in 1995 and 2000 only 407 additional local authority tenancies and 79 additional group-housing tenancies were allocated to Travellers. This is just over half of the relevant Task Force targets. However, output of these types of dwellings did increase substantially during 2001 and 2002, with the result that if output during these years is added to the output for the 1995 to 2000 period, the total is only 45 below the Task Force target. This increased availability of local authority housing tenancies to Travellers is the principal reason why the number of families living in unofficial encampments has fallen by over 200 since 1999, despite continued growth in the size of the Traveller population.

Since the publication of the 1995 report, progress in the construction of halting sites has been much less impressive. Only 89 additional families gained places on local authority halting sites between 1995 and 2000, even though the Task Force had recommended that 2,200 additional units of this type should be provided during this timeframe. The picture is even bleaker if these data are disaggregated. In 1995, 15 Traveller families lived on transient halting sites, but by 2001 their number actually fell to 13 families, even though the Task Force recommended that 1,000 units of this type be provided by the year 2000.

## Concluding Comments

The reasons for the persistent differences between the aims of the various policy statements on Traveller accommodation published since the 1960s and outcomes on the ground are not immediately obvious. Most of the research on policy implementation attributes problems in this regard to shortcomings in policy design or finance. However Traveller accommodation policy in this country is relatively sophisticated in the sense it is based on extensive consultation and research, and relatively generously funded. The fact that, despite the changing aims of Traveller accommodation policy, responsibility for its implementation has remained in the local authority sector, indicates that this is the likely site of problems in this regard. In particular the opposition of local politicians has been a consistent barrier to the implementation of Traveller accommodation policy, as have negative attitudes on the part of some staff in this sector, together with lack of support for these staff and skills deficits. All the policy statements examined in this article also identify opposition from the general public as a key barrier to the provision of accommodation for Travellers. Although the focus of this opposition appears to have changed over the years. Thus, the Commission on Itinerancy and the Review Body both mention examples of opposition from local authority tenant's associations to the housing of Travellers in estates in this sector. However this issue is not raised by the Task Force. By the 1990s, the key site of public opposition to Traveller accommodation had shifted to the planning system, which was used by residents associations to delay or prevent the construction of new halting sites, in particular. This changing focus of public opposition may explain the higher than expected number of Travellers accommodated in Traveller specific accommodation until the 1990s, and the higher numbers accommodated in standard local authority housing since then.



# Travellers: Irish Issues, Global Concerns

Anastasia Crickley

Anastasia Crickley, chairperson of the NCCRI, EUMC and OSCE Special Rapporteur on Racism draws linkages between issues in Ireland and global concerns about the position of Roma, Sinti and Travellers



Anastasia Crickley, Chairperson NCCRI.

Over the past few years my involvement with the Council of Europe, OSCE, and the European Monitoring Centre on Racism have meant many opportunities to hear and read about the discrimination and exclusion experienced by Roma, Sinti and Travellers throughout Europe, including from the groups themselves. From this involvement a number of things of relevance for Irish Travellers emerge and are increasingly repeated in every new report or engagement. For example, historic and systemic racism is experienced by all, often based, as with Irish Travellers, on institutional identity denial. Discrimination towards these groups is now widely recognised at European and National level in plans, policies and legislation but their implementation continues to pose challenges. Furthermore it is clear that any response treating Roma, Sinti and Travellers as a homogeneous group, ignoring differences within, including different experiences of men and women and of children, cannot address or even make visible the issues they face. However what stands out overall is the resilience and adaptability of Roma, Sinti and Traveller cultures and the substantial and historical cultural affinities between them.

Discrimination and racism against Roma, Sinti and Travellers and even attempts at their annihilation in 20th century Europe are well documented. They include the horrors of the holocaust where over 600,000 Roma perished and attempts at forced assimilation, through among other things the removal of children to care. More recently on a visit to Kosovo I was appalled to find a Roma camp located in an area of lead contamination. However I understood the reluctance of some inhabitants to make

yet another temporary move, which they feared might become long term and replace the permanent rebuilding of their homes they had been promised. Segregated education and the provision of the supports necessary to move to fully integrated and equal education remain challenges, as do inadequate educational outcomes.

These issues have Irish resonances, as do the enhanced number of policy responses to them. However implementation of plans require resources, political will and often significant cultural shifts from top to bottom in the institutions involved. Where some success has been achieved, equality, diversity and anti-racism education and awareness raising have been undertaken by all involved in the implementing institutions, realistic targets have been set and monitored and Roma, Sinti and Traveller groups (rather than individuals) have been directly involved in all stages. The employment of Roma, Sinti and Travellers is also very important but not as an end in itself in a way that patronises the individuals involved or sets them up as the individual compliant voice of their community rather than collectively challenging voice of the organisation or group.

Acknowledgement of the discrimination experienced by Roma, Sinti and Traveller women and children leads to focus inward, blaming men for domestic violence and parents for various children's issues including school participation. While it is neither helpful nor useful to deny internal responsibility in any community for these areas my work over the years especially with women demonstrate how limited an explanation it can be, for example when considering allegations of forced sterilisation



of Roma women in Slovakia. Women emerge as courageous leaders, who like all women leaders need ongoing support and critical encouragement if they are to develop their own confidence and avoid allowing the problems they can give voice to being marginalized by men.

The resilience of Roma, Sinti and Traveller cultures are evident in their survival through desperate conditions and times, and they are independent of the poverty or perceived wealth of different groups. I have been privileged to meet with these cultures from Slovakia to Spain and to note many key similarities in the way of life of Irish Travellers, for example with regard to the importance of extended family networks and an economy which prioritises independent initiatives focussing often on re-use and recycling. Previous denial of Roma culture and identity by States in the east of Europe did not lead to assimilation into the dominant majority population. Many issues remain to be addressed for Roma and Sinti from the Baltic to the Balkans but their organisations speak to a long and well-understood identity in spite of the problems.

Finally, as we celebrate Traveller Focus Week with its theme of Recognition, I am conscious that much progress has been made over the past two decades towards articulating Traveller identity and working to end discrimination and inequalities experienced by Irish Travellers. As we celebrate the achievements of those two decades, to which all stakeholders including the state have contributed, and which includes the development of Traveller organisations capable of playing lead roles at local, national and European levels I am conscious that much remains to be done.

Relations between Travellers and settled people as illustrated by the killing of a Traveller by a Mayo farmer and subsequent reactions to the court proceedings are subject to media and political attention here similar to that which expounds across Europe about Roma. Media and politicians have clear and demonstrable roles to play in either reinforcing stereotypes or challenging discrimination. It is also clear across Europe that underlying tensions in the relations between Roma, Sinti and Travellers and majority populations need to be addressed everywhere. Such processes need to acknowledge both the responsibilities of all sides and the power differentials between them. This work, as various initiatives show is clearly challenging for all and requires patience leadership and courage, as well as plenty of time and skill to play its role in helping eliminate (rather than being the only answer to) tensions which have existed for centuries.

I look forward twenty years from now to a Europe and an Ireland where Roma, Sinti and Travellers are acknowledged and respected for their culture and contributions in an Intercultural society of mutual understanding and engagement where racism has no part.

# Update on the North/South Synergy Initiative

Joe Lenaghan

Joe Lenaghan, Regional Officer with NCCRI, reports on the first North/South Intercultural Forum which met on Dundalk in October 2005



The first North/South Intercultural Forum held in Dundalk focussed on employment policy and services.

Dundalk, Co Louth was the location for the first North South Intercultural Forum which met on 25 October 2005 to consider *challenges for employment policy and services arising from increased inward migration*. Future themes will include issues such as housing, health and policing.

The Forum is an integral strand of the NCCRI's SYNERGY North South Intercultural Initiative, which is based in the NCCRI's Regional Office, in Dundalk. Supported through the European Union's INTERREG Programme, SYNERGY is working to build an intercultural approach into policy and service delivery with a particular focus on the border region. It aims to develop strategies for the inclusion of minority ethnic groups, focusing on their participation in the planning, implementation of services.

The first Intercultural Forum focussed on the issue of employment including the challenges of:

- Managing migration at a macro policy and at a regional level

- Monitoring and enforcement of employment law and information on rights
- Working in an intercultural workplace
- Agencies involved in recruitment and human resource management
- Public services in seeking to respond positively to diversity.

The contributors included:

- Seán Murray, Principal in the Economic Migration Policy Department of Enterprise Trade and Employment
- Tim Devine, Head of Employment Rights, Department of Employment and Learning (DEL), Northern Ireland
- Lee Bartlett, Policy Advisor with the UK Home Office
- Patricia Curtin, Assistant Director General FÁS
- Tayra McKee, Amalgamated Transport and General Workers Union and
- Daniel Holder coordinator of ANIMATE, the migrant worker support project based in Dungannon.

More than sixty delegates attended including government and non-government bodies concerned with employment and migration including, IBEC, Intertrade Ireland, Comhairle, Louth County Council, Newry & Mourne District Council, An Garda Síochána, the Department of Justice Equality and Law Reform, the Equality Commission (NI), the Labour Relations Agency, the ATGWU, the Centre for Cross Border Studies and a wide range of community and voluntary groups representing the interests of asylum seekers and refugees, Travellers and migrant labour from communities in the border region, north and south. A report of the seminar will be available in the near future.

Key issues included:

- The need for more pro-active migration management and employment policies to avoid the displacement of labour and the exploitation of migrant workers.
- The need for legislation against the emergence/proliferation of specific problems, for example 'gangmasters' legislation should be enacted in Ireland drawing on the experience in Britain.
- The need to employ bilingual front line staff as well as providing interpreter/translation services was highlighted.
- The need to ensure that increased immigration security in the South does not militate against continued free movement of people across the border.
- The importance of synergies between both the National Action Plan Against Racism and the Racial Equality Strategy for Northern Ireland.
- The importance of disseminating good practice. Examples included FAS 'Know Before you Go' information strategy focusing on migrant countries of origin.

It is envisaged that the Forum will convene three times each year focusing on a particular theme. The next Forum will meet early in the New Year on the theme of *Housing and Accommodation*. A full report of the first North South Intercultural Forum is currently being prepared and will be circulated to all participants and posted on the NCCRI website.

If you wish to participate in the second Forum please contact Tinu Achioya, SYNERGY Administrator: [tinu@nccri.ie](mailto:tinu@nccri.ie), telephone: +353 (0)42 9352730. For more information on SYNERGY or visit [www.nccri.ie/north-south.html](http://www.nccri.ie/north-south.html).

### Racism Knows No Boundaries

Working in a community group presents many challenges not least when you are trying to address issues in communities where cultural and ethnic diversity may not have featured strongly in the past. There are also many challenges facing minority ethnic communities in accessing services that many in the wider community take for granted, dealing with racism is one common challenge.

The SYNERGY Capacity Building Group that came together earlier in the year to consider the best way forward to help support and develop anti racism strategies with communities groups working in the border region, North and South. SYNERGY in collaboration with the NCCRI's Training and Community Development units and STEP (South Tyrone Empowerment Programme) have initiated the *Racism Knows No Boundaries* community awareness Autumn programme aimed at local groups in the border region.

The three one day *Racism Knows No Boundaries* events are being held during November and December for groups in Louth/Newry, Armagh /Monaghan/Cavan and Derry/Tyrone/Donegal areas. As well as exploring racism, from both Northern and Southern perspectives, the events provided an opportunity for the Louth African Womens Group in Dundalk, the Donegal Non Nationals Support Group in Letterkenny and the Newry and Mourne Traveller Partnership in Armagh to demonstrate some of the work they do and help community groups to consider future possibilities. STEP is a key partner in this initiative is known for its work with migrant workers in the Dungannon, South Tyrone area.

If you are interested in participating in the next phase of the Racism Knows No Boundaries programme contact [tinu@nccri.ie](mailto:tinu@nccri.ie) or telephone: +353 (0)42 9352730. If you would like to know more go to [www.nccri.ie/north-south.html](http://www.nccri.ie/north-south.html)



# Gardaí take the lead in positive action recruitment campaign

Phillip Watt, Director, NCCRI

Philip Watt, Director of the NCCRI contends that the recent Garda recruitment campaign is a positive action measure consistent with the National Action Plan Against Racism that can be replicated in other areas of the public service

Ireland is going through a period of rapid change at a number of levels, but one thing that is constant is the considerable interest of young people seeking to join An Garda Síochána. Like any other organisation, the Gardaí have to deal with the challenges of modern Irish society and it is a changing and evolving organisation. In recent years for example up to one third of the intake into primary training in Templemore have been women. One of the key challenges recently identified is to ensure that cultural and ethnic profile of An Garda Síochána is reflective of the increasing diversity in Irish society. In this context recent positive initiative announced by the Minister for Justice, Equality and Law Reform to increase diversity in the Gardaí is very welcome and has the potential to be replicated in other areas of the public service.

In September 2005 Minister Michael McDowell announced that the cabinet had agreed that the Irish language requirement would be dropped for the current recruitment campaign. In effect, this means that people who have not passed an exam in the Irish language are now eligible to apply to become Garda trainees. However, it is recognised that the ability to communicate in Irish is important and there will be classes in Irish as part of the overall Garda training.

To support the recruitment campaign, there were a number of initiatives to encourage people from ethnic minority communities to consider a career in An Garda Síochána. As well as targeted advertising, the NCCRI organised an Information seminar attended by Minister Michael McDowell and Assistant Garda Commissioner, Catherine Clancy. In addition, the Gardaí organised open days at Templemore, the Garda training college. The NCCRI also organised a briefing session

on the selection process. This session offered applicants the opportunity to hear a little bit more about what the selection process involves and to look through the familiarisation material for the tests which was also available on publicjobs.ie. Gardaí from the Bridewell Garda station were also there and gave a very interesting overview of the training process. As with the other events, there was a lot of interest and the session was well attended by people from a range of minority ethnic communities.

Overall, there has been significant interest from people from minority ethnic communities in the campaign and this was reflected in the numbers who actually applied to become Garda trainees. Approximately one in ten of those who applied to join the Gardaí have indicated they are from a minority ethnic group. It is very encouraging that a number of Travellers have applied to join and there has been considerable interest from the Asian/Chinese, African and Sikh communities in Ireland as well as people from new EU member states.

However, as was emphasised at the information sessions, it is likely that the percentage of successful applicants may be significantly less than this figure for a number of reasons, including:

- Many of those who have applied have already indicated that they will not qualify because of the five-year residency rule, but they have applied in order to gain experience of the recruitment process
- From the information sessions organised by NCCRI, it was clear that as would be expected proficiency in English varied from one candidate to another. Some

applicants have excellent multi lingual skills, while others will need more experience and may reapply in future

- This is the first positive action measure of its type in the Irish public sector and the recruitment process may need more changes before it is fully fair for everyone, although considerable efforts have been made in this respect already. The experience from this year's recruitment process will be valuable in this respect.

It is not easy to become a member of An Garda Síochána and those who want to join face a fairly tough selection process. The first two stages are run by the Public Appointments Service. The first stage involves verbal and analytical reasoning tests and a job simulation exercise, which gives examples of typical scenarios faced by Gardaí. Applicants are asked to identify what would be an appropriate action in that scenario.

Those who are successful in the first stage are then invited to do an interview and a report writing exercise. The interview covers areas such as preparing to achieve high standards, working with others and a career in an Garda Síochána.

In their jobs, Gardaí are required to write descriptions of incidents they encounter, such incidents may include a traffic accident, attending the scene of a robbery and so on. The report writing exercise is administered on video and when watching the video, candidates are asked to assume that they are a Garda trainee arriving at the scene of an incident and the camera is their eyes and ears. After they view the incident, they are asked to write an "incident report" summarising the incident.

The third stage is managed by Garda Headquarters and involves a medical examination, a physical competency test and a screening to establish their general suitability for selection as Garda trainees.

Those who are successful in the selection process are invited to join a two-year training programme, which takes place at the Garda Síochána College in Templemore and at selected training stations throughout the country. Trainees who successfully complete this programme are awarded a National Diploma in Police Studies.

It is evident that the road to becoming a member of an Garda Síochána is not an easy one, but the considerable interest shown in this years process augers well for the future.

*The NCCRI were part of a working group established by the Government to advise on this initiative. The working group included the Department of Justice, Equality and Law Reform, the Human Resources Management section and the Racial and Intercultural Unit of the Gardaí and the Public Appointments Service.*





# Migration and Northern Ireland

Neil Jarman

## Neil Jarman, Director of the Institute for Conflict Research (ICR) based in Belfast provides an overview of changing migration patterns into Northern Ireland

In recent years the patterns of migration to Northern Ireland by non-British or Irish nationals has changed considerably. Since 2001 a substantial number of Portuguese nationals have taken up employment, primarily in the food processing industry, many hospital trusts have been recruiting nursing staff from South Asia and the Philippines and many sectors have increasingly turned abroad to fill vacancies. More recently, large numbers of nationals from the eight East European states that joined the European Union in May 2004 have moved to Britain and Ireland to take up employment.

Much of the focus of attention towards these new migrants has been in responding to issues of harassment and discrimination, improving the quality of information, advice and services to migrants and raising awareness of many of these issues among employers and statutory agencies. Prominent in this work have been NGOs such as STEP, strategic projects such as Animate, statutory bodies such as the Equality Commission, the Northern Ireland Housing Executive and local networks in places such as Ballymena, Banbridge and Craigavon. A number of hospital trusts and some private businesses have also been developing innovative practices.

The processes of migration to Northern Ireland, of recruitment of migrants by employers in Northern Ireland and the provisions of services and resources to migrants are currently in a state of flux. The recently published *Racial Equality Strategy for Northern Ireland* (OFMDFM 2005) noted in this regard:

*The speed and extent of the increase in the numbers of migrant workers in Northern Ireland – and the sheer diversity of people involved – pose complex challenges for Government and society alike (paragraph 3.15)*

While this is undoubtedly true it is also evident that considerable work needs to be done in integrating issues related to immigration and migrant workers into strategic planning and policy.

### **Migrant Populations**

The 2001 Census identified that there was a total of 26,659 people living in Northern Ireland who were born outside the United Kingdom and the Republic of Ireland, while a total of 14,279 people identified as belonging to a minority ethnic community. These figures indicate that migration and migrant communities have been facts of life for Northern Ireland for some time, that the historic patterns of migration have been diverse and varied and that only a percentage of migrants necessarily classify themselves as belonging to a minority ethnic community. The current cycle of migration appear to be different for two reasons. First the speed and scale of current immigration is much more rapid than has previously been the case for Northern Ireland and second because most migrants are coming from countries without a recent history of immigration to the UK and Ireland. The current migration is not simply an increase in scale of the previous patterns, but rather represents new trends, with migrants coming from Eastern Europe rather than Eastern Asia, from non-Commonwealth countries and from countries that do not necessarily have

widespread use of the English language. Each of these factors adds new dynamics to the patterns of demography, service use and social diversity in Northern Ireland.

### **Legislative Control**

Previous research by ICR highlighted a number of concerns raised by migrant workers in Northern Ireland with regard to the employment practices of various agencies and the terms and conditions under which they were forced to work and live. Similarly over the past few years the worst practices of ‘gangmasters’ operating in the agricultural and shellfish gathering sectors in the UK have received extensive coverage in the media. This may particularly be an issue for undocumented workers, but can also be a factor in the exploitation and discrimination of migrants more generally.

The growing concerns about the exploitation of migrant workers has resulted in attempts to impose greater control over gangmasters and other employers operating in the UK. A number of pieces of legislation have been or are being introduced that will, or are aimed to have, some impact on the employment of migrant workers in Northern Ireland. These primarily focus on the regulation and monitoring of businesses that employ or supply labour for other businesses. The legislation includes:

### **Gangmasters (Licensing Act) 2004:**

This requires all labour providers operating in the agriculture, shellfish gathering and associated processing and packaging sectors to be licensed. It will require both employment agencies (who supply staff for other employers) and employment businesses (who employ staff who are lent to

other employers) to be registered. A Gangmaster Licensing Authority will be responsible for maintaining a register of licensed gangmasters; this will include a separate register of gangmasters operating in Northern Ireland. This legislation has been enacted but has yet to be brought into operation. The Department of Agriculture and Rural Development are the lead agency in Northern Ireland.

**Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005:**

This order outlines the series of limitations on the practices of employment agencies and businesses and sets out greater responsibilities for them both towards the people they employ and to those hiring temporary workers. This order came into force on 25 September 2005.

**Employment (Miscellaneous Provisions) (Northern Ireland) Order 2005:**

This order will allow the Department of Employment and Learning to appoint enforcement officers with powers to enter and inspect premises related to employment agencies and businesses and examine their records and documents. DEL expects this order to take effect from December 2005.

**Health and Personal Social Services (Quality Improvement and Regulation) (Northern Ireland) Order 2003:**

This order established the NI Health and Personal Social Services Regulation and Improvement Authority with responsibility for monitoring and regulating the quality of health and care services in both the public and private sector. It provides for the registration of various categories of nursing and care establishments, the establishment of minimum standards and has provision for

the regulation of managers and employees. The three pieces of legislation relating to employment agencies and businesses have yet to be fully implemented so it is too early to determine any impact they might have. However, the Equality Commission has already undertaken a number of initiatives with regard to informing employers of their responsibilities with regard to migrant workers and the Commission has also worked with a number of unions and employer bodies to produce a good practice guide to *Promoting Equality in Intercultural Workplaces*. Unpublished research by ICR has determined that there is an emerging body of good practice being developed by some employers with regard to employing migrant workers. It would clearly be useful if this was documented in more systematic manner and a more formal guide to good practice was produced and promoted among employers.

**Policy Development**

To date much of the policy interest in relation to migrant workers in Northern Ireland has been with regard to their status as members of ethnic or national minority communities, rather than the position within the wider economic sphere. This is highlighted by the fact that migrant workers feature throughout the recently published *Racial Equality Strategy for Northern Ireland* (OFMDFM 2005), but migrants and immigration issues do not get mentioned in the *Economic Vision for Northern Ireland*, which was published in February 2005 (DTI 2005).

The Racial Equality Strategy focuses on issues of service provision and information supply, raises concerns about exploitation and the rights of migrants and also

highlights the need to maintain positive relationships between new migrants and local residents (Sections 3.10–3.15 and 4.45–4.46). The documents also notes:

3.15 The speed and extent of the increase in numbers of migrant workers in Northern Ireland – and the sheer diversity of the people involved – pose complex challenges for government and society alike.

If one is being charitable one might suggest that this rapid development of a new migrant population may well be a factor in the lack of any reference in the *Economic Vision for Northern Ireland*. This document notes that the aim of the economic vision is to address some of the key weaknesses in the Northern Ireland economy, notably competition for traditional industries, such as textiles and food and drink, the undeveloped nature of the private sector and a large public sector (DTI 2005: 3-4). But interestingly while the document notes the importance of the ‘increasingly global nature of the marketplace’ and highlights the need for a more entrepreneurial approach within the private sector, the report does not acknowledge the increasingly globalisation of the recruitment of labour role by the private sector in Northern Ireland. Nor is there any consideration given of the potential for development of specialist services and resources for and by the members of the new migrant population. These are issues that need to be taken on board in any future planning for economic development in Northern Ireland.

**Issues and Questions**

The recent trends in migration to Northern Ireland appear to be driven by a number of

factors. Three of the prominent ones are:

- The lack of skilled labour in certain key areas of the public sector.
- A lack of appropriate quality labour for many private companies.
- A lack of appropriate opportunities at home for many people in Eastern Europe.

These trends will raise a number of issues for Northern Ireland if migration is to be considered as an opportunity, for economic development and social diversity, rather than become a problem of racism and discrimination. But it is also important that the opportunity is acknowledged and planned for in a strategic manner or problems of racism and discrimination will undoubtedly increase.

One obvious question is whether the future labour needs of Northern Ireland will be the same as the UK as a whole, or whether they will be able to be met within the broad framework set down by the Government in *Controlling our borders: Making migration work for Britain* (HM Government 2005). Any debate will be complicated by the fact that Northern Ireland is not an independent country and immigration policy is determined by the British Government, rather than a devolved administration at Stormont. However, there has been some discussion in Scotland, for example, over the need to develop a specific approach to immigration based on the particular needs of the Scottish economy and demographic predictions for the country. Is there need for similar consideration of a Northern Irish debate and strategy?

It will also be important to consider patterns of migration to Northern Ireland in relation to the patterns that are emerging in the Republic. It is quite possible that the

developments, needs and demands of the north and south of Ireland will have more similarities than differences and the north-south patterns may prove to have more in common than the east-west patterns.

Finally, there is also a discussion underway within the European Union about developing an EU wide approach to managing economic migration (Commission of the European Communities 2005). The various Northern Irish institutions agencies and civil society organisations should be involved in this debate.

It is evident that there is currently a lack of any strategic planning around issues of immigration into Northern Ireland. There are no predictions of labour needs or the types of skills that will be required over the next 20-30 years, or of how they will be met. At present migration policy is largely being left to the demands of the private sector and of the market. Is this adequate or appropriate?

At present it appears that there is very little monitoring of migration trends in Northern Ireland by the Government. A number of departments gather some bits of information, but there does not appear to be any joined up approach to gathering, monitoring or analysing data. Some information is available about new arrivals through applications for National Insurance numbers and the Workers Registration Scheme but these two sets of figures produce divergent numbers. These figures also only monitor inward migration, we do not know anything of outflows of recent migrants, or the length of time migrants might expect to stay or hope to stay, or of whether they intend to bring family members.

There also does not appear to be any projections for future patterns of migration into Northern Ireland. There have been two main waves of immigration so far: Portuguese and Filipinos between 2001-2003, and A8 nationals since May 2004. But will this continue or will there be a further shift with the next enlargement of the European Union in 2007 if/when Romania and Bulgaria joins? Will current patterns of migration from the A8 countries continue? Does the Northern Irish economy need immigration to continue at the current levels, at lower levels or at higher levels? How will the any future migrant labour requirements be met?

The patterns of migration are responding to different needs in different areas. The current pattern appears to be dissimilar to migration from the Commonwealth countries in the post World War Two period when migrants tended to move the main centres of population. Current migration involves more widespread dispersed to rural towns and industries. But what impact is the current migration having at a local level in terms of provision of services, housing and resources? Is any of the local level of strategic planning taking such patterns of migration into consideration?

There is also a need to consider the wider social impact of current migration trends. What is the impact of private sector recruitment on the current planning of statutory sector service provision? For example, what is impact of private sector recruitment of migrants on local health and education provision? What impact is it having on local housing markets and resource provision? While labour immigration can boost the local economy it can also impact on planned or available service provision. Is this happening? If so

how? What type of impact is being experienced and what type of responses are being developed?

We currently talk about migrant workers in terms of being a homogenous group, but the only thing they have in common is that they have migrated to Northern Ireland to take up work. Increasingly the different ethnic and national groups will come to distinguish themselves as different from others, and as the population of new migrants grows so to will tensions between different population groups become more evident. Strategic planning will need to address this diversity and the differing needs of different national groups.

What impact will the growth of minority ethnic and national communities have on the resourcing of the minority ethnic population? There are recent shifts happening both in scale and the make up of the minority population of Northern Ireland. The non-UK and Irish population has perhaps doubled in the past three to four years, and the current patterns of migration are leading to changes in the overall composition of the minority population. Poles and Lithuanians are now among the largest minority populations in Northern Ireland. But should we consider them as populations rather than as communities? How will these changes fit within the current BME population and support networks and within the available the resourcing of this sector by Government? If the Racial Equality Strategy is aimed at a minority population of 20,000-30,000 people, will the resources (and the strategy) be appropriate for a population twice that size?

## In Conclusion

Migration patterns to Northern Ireland have changed considerably over recent years and this is leading to significant changes both to the size and the ethnic/national background of the overall minority population. The currently available evidence suggests that the patterns of migration are distinctive in relation to the UK as a whole, with larger numbers of Eastern European migrants moving to Northern Ireland and a larger than expected numbers of migrants in the manufacturing, food processing and construction sectors.

The current focus of attention has been on issues of discrimination, service provision, information and advice for migrants. There has been little overall policy development to address the prominence of migration as a factor in the current and future economic development of Northern Ireland, while most current responses and initiatives appear to be being developed in isolation and with no sense of a coherent or joined up approach. This is an issue that will need to be addressed if migration is to continue to be an opportunity for Northern Ireland rather than a problem.

*This is an edited version of a longer briefing paper which is available in full from the [info@nccri.ie](mailto:info@nccri.ie)*

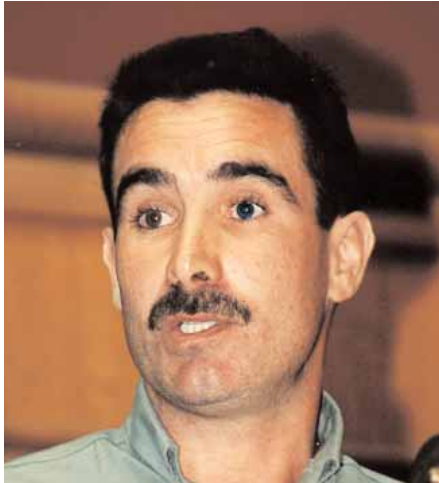


# Media Review

## The Ward/Nally Case

Fiona McGaughey

Fiona McGaughey, Policy and Research Officer in NCCRI reviews the media coverage of the Ward/Nally case



Martin Collins, Assistant Director of Pavee Point who criticised some of the media coverage relating to the Ward/Nally Case.

The killing of John Ward in October 2004 and the subsequent conviction and sentencing of Padraig Nally in November 2005 have attracted considerable reporting and comment in the national media.

While some of the media comment and reporting has been fair and balanced and has provided insight into this complex and disturbing case, a significant proportion of media reports related to the Ward/Nally case can at best be described as inadequate, lazy or lacking balance. In the worst cases some of the media coverage has verged on incitement to hatred as some journalists and newspapers have sought to out-do one another in demonising and scapegoating Travellers and elevating the actions of clearly disturbed, isolated and lonely man into those of a hero.

This review seeks to provide a brief analysis of some of the media coverage on the Ward/Nally case, primarily focusing on the print media, it seeks to identify issues arising, standards of journalism and the role of the media in addressing racism.

### Media coverage

In October 2004, John Ward a 42-year-old man, father of 11 and Traveller was beaten 20 times and shot twice resulting in his death. Padraig Nally, a 61-year-old farmer from Mayo, was tried for his murder and found guilty of the lesser charge of manslaughter. On 11th November 2005, he was sentenced to six years in prison.

One of the most disturbing aspects of the homicide was that after John Ward was shot once, Padraig Nally reloaded his shotgun, followed the injured man out into the road as he attempted to escape, beat him with a stick many times and then killed him with a second shot him in the back when his victim was already disabled and defenceless. Even before Padraig Nally was sentenced, John Ward's criminal background and Padraig Nally's fear of being burgled received significant media attention. For example in July 2005 under the Sunday World headline "Did 'Frog' Ward get what was coming to him?", Paul Williams suggests that the public "are thinking that perhaps John Frog Ward got what was coming to him. Perhaps he,

like the other Travellers who target old, vulnerable people around the country, was the author of his own destiny."<sup>1</sup>

For other newspapers the actions of Padraig Nally were primarily not those of a disturbed man but the actions of someone who was 'brave and decent'. An article by Mary Ellen Synon in Ireland on Sunday was typical of this type of coverage, which was headlined with "Why this brave and decent man should walk free."<sup>2</sup>

She described the situation of fearful, elderly bachelors in rural areas and applauded Padraig Nally for defending his home and himself.

The Irish Daily Mirror went further and mounted a sustained campaign to free Padraig Nally. Following Padraig Nally's sentencing for six years for manslaughter, the Irish Daily Mirror described him as a hero<sup>3</sup>. The campaign to free Padraig Nally by the Mirror was sustained even in the face of the grim details about how John Ward was killed. In similar vein, Roy Curtis of the Sunday World stated that Padraig Nally had a



right to protect his home, in an article with the headline “Why Traveller Killer Should Be Set Free.”<sup>4</sup>

There was much less focus on the Ward family in the immediate aftermath of the trial and conviction of Padraig Nally. John Mooney in the Irish Daily Star Sunday edition was one of the few exceptions<sup>5</sup>. He sought and secured an interview with the Ward family, reporting Mrs Ward as saying “If a Traveller did that to a member of the settled community, things would have been different.”

Vincent Browne in the Sunday Business Post suggested that the manslaughter verdict sends the message that it is not murder to kill a Traveller.<sup>6</sup> Louise Hogan in the Metro<sup>7</sup> presented the views of Travellers, reporting national Traveller organisations that feel Travellers are living in fear from the repercussions of the case. Pavee Point Traveller’s Centre, the National Traveller Women’s Forum and the Irish Traveller Movement called on leaders to condemn racism against Travellers and urged the media to avoid sensationalist reporting that can mislead, promote prejudice, or, is likely to incite hatred. The Traveller organisations further condemned the actions of all those, including Travellers, who are involved in criminal activity. This was reiterated by Martin Collins from Pavee Point on RTE’s Questions and Answers, which devoted a whole programme to the issue. The comprehensive coverage by RTE Television on this issue was also demonstrated by the Prime Time special which re-enacted the killing of John Ward and which presented a balanced and hard hitting assessment of the complexities of the Ward/Nally case which sought to be fair to all those involved.

The most vociferous and one sided commentary in the national newspapers occurred in the aftermath of Padraig Nally’s sentencing. The Irish Daily Mirror gave extensive coverage to the case and was the most strident of any daily newspaper in its support of Padraig Nally’s actions. It launched a ‘Nally campaign’. Subsequent to the six-year sentence being handed down, the front page of the Daily Mirror read “Justice RIP – Outrage as terrified farmer gets 6yrs for killing Traveller burglar.”

The Mirror printed dozens of readers’ views on the issue, the overwhelming majority printed (unsurprisingly given the Mirror’s one sided campaign), supporting Padraig Nally. One reader wrote: “I’m a farmer myself and I would do the same to protect my property”. Another reader also sought to elevate Padraig Nally to hero status: “That man should never have been jailed. He should have got a medal”.<sup>8</sup> The latest in the campaign has been the launch of a supporters’ website under the headline “March with your Mouse”.

Unsurprisingly, given some of the coverage, according to an Irish Examiner poll “A massive 83% of those who responded believed that Mayo farmer Padraig Nally should not have been jailed for killing Traveller John ‘Frog’ Ward.”

In the wake of the sentencing, Fine Gael called for legislative reform to protect the rights of property owners. The call for legislative reform was rejected by other commentators. Conor Hanly, law lecturer in NUI Galway writing in the Irish Times<sup>10</sup> contended that the law as it stands already allows for the use of reasonable force against a threat. If lethal force is reasonable in the circumstances, then it may be used. He drew

attention to what has become known as the ‘make my day’ legislation enacted in Colorado and Florida in the United States.

As more facts about the case emerged, there was a marked change in tone and comment in many of the daily and Sunday newspapers by the weekend of the 19th of November. The Sunday Independent, for example, printed two opinion pieces by Emer O Kelly and Liam Collins and that stated that “property should come a long way behind human life” and that the “Nally case has turned an issue on its head- the farmer who is still alive rather than the Traveller who is dead is regarded as the victim”. This was followed by similar reports in a number of papers.

### Issues arising

The Ward/Nally case has clearly raised issues of the role of the media in covering issues related to Travellers and more broadly in respect of cultural and ethnic diversity in Ireland.

It has also raised questions about the criminal justice system and legislation. For example, this case was the first murder trial in Mayo and there have been calls for ethnic minority group representation on juries (the Village).<sup>11</sup> As Brian McDonald wrote in the Irish Independent “The issues raised by the Padraig Nally trial are hugely important to modern Irish life.”<sup>12</sup>

Mary Rafferty in the Irish Times<sup>13</sup> comments on the both the media ‘frenzy’ and on the role of public figures in this debate. She feels some politicians perceive an electoral advantage in stirring up fears and argues that when combined with the social divisions involved in the case, it comes “dangerously close to incitement to hatred”.

However it is also evident that the media and politicians also played an important role in helping to diffuse the tensions created in the aftermath of the Ward/Nally case. A rally that was organised for 20 November in Athlone was cancelled by Padraig Nally's supporters who cited their concern that it might be perceived to be anti-Traveller.

In the Village<sup>14</sup> Vincent Browne contended that prejudice against the Traveller community as the same sort of racism, which prevailed in the southern states of America 50 years ago and concluded that the case has fuelled prejudice against Travellers.

### Media and racism

Currently, the main guidelines for the media are voluntary guidelines issued by the National Union of Journalists (NUJ) on "race reporting" and specific guidelines on reporting the Traveller community. The fact that the Ward family, other Travellers and Traveller organisations received significantly less coverage than Padraig Nally and his supporters is clearly contrary to the guidelines which provide that "when reporting on Traveller issues, journalists should seek the views of Travellers and Traveller organisations, while respecting individuals' right to privacy and their right to nominate a spokesperson to articulate the views of the group."

The guidelines are also cognisant of the risk that the media can exacerbate inter-community tensions and advise their journalists to minimise that risk. The "race reporting" guidelines from the NUJ further state that letters, columns or phone-in programmes should not be used to spread racial hatred in any guise. Again there were

many times that this guideline was ignored in recent weeks, some examples of which have been provided in this article.

The NUJ guidelines on Travellers further urge journalists to ensure "nothing they write could lead people to the view that Travellers are less than full citizens of the State with all attendant rights and privileges." Again, this guideline has been widely ignored in the present debate. This is not to blame the NUJ whose primary role is to act as a trade union but points to the need for a more coordinated and shared response to the difficult issue of combating racism in the media versus the right to freedom of expression.

The issue of media and racism is covered in the National Action Plan Against Racism (NPAR). One of the objectives of the NPAR is 'Recognition' and an outcome of this objective is stated as "Work with the media to combat racism, promote interaction and to raise awareness and understanding of cultural diversity." The NPAR notes that the media has played an important role in raising awareness of cultural diversity and racism in Ireland and reporting issues that are in the public interest. However, the NPAR also expresses concern at irresponsible media reporting and notes that the key challenge is to ensure the media continues its public interest reporting while at developing appropriate and agreed mechanisms to complain and to provide redress for irresponsible reporting.

One possible solution is the proposed Press Council, indicated in the Programme for Government, and the Report of the Legal Advisory Group on Defamation.<sup>15</sup> The Legal Advisory Group on Defamation recommended that the Press Council

develop a Code of Conduct and that such a code include standards in dealing with matters such as gender, marital status, family status, sexual orientation, religion, age disability, race, colour, nationality, ethnic or national origin or membership of the Traveller community. It was also recommended that such a Press Council would have the authority to investigate complaints in respect of alleged breaches of the Code of Conduct.

The theme for Traveller Focus Week, which runs from the 4th – 9th December 2005, is 'Recognition', taken from one of the objectives of the NPAR. A specific aim of the week is to build relationships with the Irish media; an aspiration that could not be more timely, nor perhaps more difficult.

<sup>1</sup> 24/07/05

<sup>2</sup> 24/07/05

<sup>3</sup> 14/11/05

<sup>4</sup> 13/11/05

<sup>5</sup> 24/07/05

<sup>6</sup> 24/07/05

<sup>7</sup> 18/11/05

<sup>8</sup> 17/11/05

<sup>9</sup> 12/11/05

<sup>10</sup> 19/11/05

<sup>11</sup> 22-26 July 2005

<sup>12</sup> 12/11/05

<sup>13</sup> 17/11/05

<sup>14</sup> 17–23 November 2005

<sup>15</sup> Department of Justice Equality and Law Reform (2003), Report of the Legal Advisory Group on Defamation. Available at: [http://www.justice.ie/80256E010039C5AF/vWeb/BJUSQ5XFDSZ-en/\\$File/rptlegaladgpddefamation.pdf](http://www.justice.ie/80256E010039C5AF/vWeb/BJUSQ5XFDSZ-en/$File/rptlegaladgpddefamation.pdf)

# Recent Publications and Events

Animate:

**Report on Racial Attitudes and Prejudice towards Migrant Workers: A Survey of the Staff of Statutory Agencies in the Cookstown, Dungannon and Craigavon Areas.**

Available from Animate, Unit T2, Dungannon Business Park, 2 Coalisland Road, Dungannon, BT71 6JT, Tel: 028 87729439, [www.animate-ccd.net](http://www.animate-ccd.net)

Treoir:

**Legal Information for Unmarried Migrant Parents in Ireland**

For a copy of the booklet log on to [www.treoir.ie/help/migrantparents.html](http://www.treoir.ie/help/migrantparents.html)

Vincentian Refugee Project & The Children's Research Centre:

**Making a New Life in Ireland: Lone Refugee and Asylum Seeking Mothers and their Children**

For a copy of the study contact the Children's Research Centre, Trinity College Dublin, on 01- 6082901 or email [crcentre@trinity.ie](mailto:crcentre@trinity.ie)

NCCRI:

**Reported Incidents related to Racism January to June 2005**

for a copy contact the NCCRI on 01-858800 or email [info@nccri.ie](mailto:info@nccri.ie)

Immigrant Council of Ireland:

**Information Fact Sheets on the Rights and Entitlements Of Immigrants in Ireland.**

For further information contact the Immigrant Council of Ireland on 01- 6458084 or email [info@immigrantcouncil.ie](mailto:info@immigrantcouncil.ie)

**Irish Migration, Race and Social transformation Review** is a new Irish inter-university open access e-journal. The IMRSTR invites contributions from the social sciences, humanities and law studies as well as from NGOs, agencies and practitioners for the first issue. All contributions should be emailed to [Torben.Krings@dcu.ie](mailto:Torben.Krings@dcu.ie) Submission deadlines for the first issue is 31 December 2005 For further information please go to [www.imrstr.dcu.ie/authors.html](http://www.imrstr.dcu.ie/authors.html).

International Human Rights Network:

**Our Rights, Our Future. Human Rights Based Approaches in Ireland: Principles, Policies and Practice** is available at

[www.ihrnetwork.org/development-ireland.htm](http://www.ihrnetwork.org/development-ireland.htm)

For more details contact IHRN, Glenboy House, Oldcastle, County Meath, Ireland Tel:049 8542934 or Email [info@ihrnetwork.org](mailto:info@ihrnetwork.org)

**[www.employmentrights.ie](http://www.employmentrights.ie)**

is a new e-information initiative aimed at providing workers with essential information on their rights as an employee. For further information, ideas or suggestions contact Joseph Kerr at [jkerr@employmentrights.ie](mailto:jkerr@employmentrights.ie)



The Migrant Rights Centre has published a 'Know your Rights Guide'.



### **What is Racism?**

Racism is a specific form of discrimination and exclusion faced by minority ethnic groups in Ireland. It is based on the false belief that some 'races' are inherently superior to others because of different skin colour, nationality, ethnic or cultural background. Racism deprives people of their basic human rights, dignity and respect.

Racial discrimination is defined in Article One of the UN International Convention on the Elimination of All Forms of Racial Discrimination (1969) as:

*“Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”*

### **What is Interculturalism?**

An intercultural approach is the development of strategy, policy and practice that promotes interaction, understanding, respect and integration between different cultures and ethnic groups on the basis that cultural diversity is a strength that can enrich society, without glossing over issues such as racism. Interculturalism is now replacing earlier approaches such as assimilation and multiculturalism.



**NCCRI**

The National Consultative  
Committee on Racism and  
Interculturalism (NCCRI)

Web: [www.nccri.ie](http://www.nccri.ie)